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A
History of England.

BY

JOHN LINGARD, D.D.

VOL. X.



E. Goodall

CHARLES I. SETS UP HIS STANDARD AT NOTTINGHAM.

London

BALDWIN & CRADOCK, PATERNOSTER ROW.

1839.



A
HISTORY OF ENGLAND,

FROM THE FIRST
INVASION BY THE ROMANS.

BY
JOHN LINGARD, D.D.

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OF

THE TENTH VOLUME.

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LINGARD'S

HISTORY OF ENGLAND.

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CHARLES met his parliament with the most lively apprehensions. He felt the dependent situation to which the late occurrences had reduced him ; he saw the lives of his advisers and the prerogatives of his crown lying at the mercy of the two houses ; and he recollected the talents, the violence, and the pertinacity which had hitherto distinguished his opponents of the country party. The terrors of his counsellors added to his distress. He shunned the public gaze, and, instead of opening the session with the usual pomp, proceeded to Westminster 1640, by water. His speech from the throne was short but conciliatory. Three subjects he recommended to the attention of the two houses—the removal of the rebels, the payment of the army, and the redress of grievances. But the word “rebels” gave offence : he condescended

to apologize. Such in his opinion was the appropriate term for subjects in arms against their sovereign, but they were also his subjects of Scotland, and he had already given them that denomination under the great seal*.

For the office of speaker in the lower house the king had fixed on Gardiner, recorder of London: but Gardiner had lost his election; and in his place was chosen Lenthal, a barrister of reputation, but without energy, and without experience. The returns proved that, notwithstanding every exertion on the part of the ministers, the king could not command the votes of one-third of the members. The task of leading the opposition was assumed by Pym, Hampden, and St. John; of whom the first claimed the distinction as due to his services in former parliaments, the other two had earned it by their courage and perseverance in the celebrated case of the ship-money. They were ably supported by the abilities of Denzil Holles, second son to the earl of Clare, and formerly one of the prosecutors of Buckingham, of the lords Falkland and Digby, of Nathaniel Fiennes, second son to the lord Say, of sir Henry Vane, son to the secretary, both enthusiasts in religion as well as politics†; and of Hyde, Selden, Rudyard, and several others, men of the most distinguished talents, and anxious by the redress of grievances to effect a thorough reformation in the disorders of the state. All these were at first bound together by one common object: but insensibly their union was dissolved by difference of opinion on subjects of the first importance; some adhering to the monarch through all his difficulties, others persuading themselves

* Baillie, l. 218. Nalson, i. 481.

† Vane was a young man of four-and-twenty, the disciple of Pym and sir Nathaniel Rich, of considerable talents and equal fanaticism. At the age of twenty, that, according to the sarcastic narrative of Garrard, "he might enjoy the liberty of receiving the sacrament standing," he repaired to Boston in America. (Strafford Papers, i. 463.) In 1636 he was chosen governor of Massachusetts, but, having lost his election the next year in consequence of a religious dispute, he returned to England, and was made treasurer of the navy in conjunction with sir William Russel.

that liberty could be secured only by the establishment of a commonwealth.

Among the lords the king could reckon a greater number of friends. All the bishops, and one-half of the temporal peers, owed their honours to him or to his father. But the former were silent through fear; and the others suffered their gratitude to be overbalanced by policy, or patriotism, or resentment. The earls of Bedford and Essex, the lords Say and Kimbolton, took the lead; their opinions were echoed and supported by the earls of Warwick and Hertford, and the lords Brooke, Wharton, Paget, and Howard; and the friends of the king, awed by the combination which existed between them and the ruling party in the other house, instead of a manly resistance, tamely acquiesced in measures fraught with danger both to the crown and to themselves.

The distress of the country, the attacks which had been made on its liberties, and the dangers which threatened its religion, furnished the orators in both houses with ample scope for lamentation and invective; and their complaints, printed and distributed through the nation, were quickly echoed back in petitions subscribed by many thousands from every county, and from the more opulent boroughs. Supported by the voice of the people, the commons neglected the royal recommendation, divided themselves into committees and sub-committees, and for several months devoted their attention to three great subjects, the investigation of abuses, the adoption of remedies, and the punishment of delinquents.

1°. The catholics, according to custom, were the first to feel their enmity. The cry that religion was in danger from the machinations of popery was revived. That no fear could be more groundless is certain: but in times of general ferment the public credulity readily accepts of assertions in place of proofs, of appearances instead of realities. It was complained that the king had

compounded with the recusants; that he had discharged some priests before trial, and others after conviction; that an agent from Rome resided near the queen; that the more opulent catholics had, at the request of that princess, subscribed 10,000*l.* in aid of the northern expedition; that catholics held commissions in the English army; and that they composed the force which Strafford had levied in Ireland. Charles, harassed with petitions to relieve his protestant subjects from their terrors, gave orders that all catholics should quit the court, and be expelled from the army; that the houses of recusants should be searched for arms; and that the priests should be banished from the realm within thirty days*. But he laboured in vain to appease that jealousy which it was the policy of his opponents to irritate; and the charge of encouraging popery was so confidently and incessantly urged against the monarch that at length it obtained credit with the majority of his subjects.

2°. The commons undertook "to purge the church."

* Journals, Nov. 9. 23. 30. Dec. 3. 7. 24. Feb. 11. 26. Mar. 15. 25. Ap. 27. May 7. I may here relate a singular occurrence respecting Goodman, a priest, who had received judgment of death for having taken orders in the church of Rome. The commons prevailed on the lords to join in a petition for his execution. Charles replied that he would banish or imprison him for life, but that he did not wish to shed blood for the sole cause of religion. They renewed the petition: the king returned for answer, that he left the case in their hands; they might act as they thought proper; but at the same time he sent them a petition which he had received from Goodman, in the following words: "These are humbly to beseech your majesty, rather to remit your petitioner to their mercy than to let him live the subject of so great discontent in your people against your majesty. . . . This is, most sacred sovereign, the petition of him who would esteem his blood well shed to cement the breach between your majesty and your subjects on this occasion. Ita testor. John Goodman." From that moment, whether they were moved by the magnanimous sentiments of the prisoner, or unwilling to entail on themselves the responsibility which they wished to fix on the sovereign, they desisted from the pursuit of Goodman's life, who made his escape out of Newgate in the following year (see Rosetti, 12 Ap. 1641), but was retaken, and died in prison in 1645. Baillie gives a very improbable reason for their interference; that they meant to deny the king's power to pardon during the session of parliament, and feared that, if it were admitted in the case of Goodman, it might form a precedent for that of Strafford. See Journals of Commons, Jan. 23. 25. 27. Of Lords, 140, 141, 142, 145, 150, 151. Nalson, i. 738. Baillie, i. 238.

On the petition of the sufferers and their friends, they restored to their livings all such clergymen as had been deprived on the ground of nonconformity by the bishops or by the court of high commission. On the other hand, they called to the bar of the house all ministers denounced as scandalous; under which epithet were comprised two classes of men—those who had disgraced themselves by public immorality, and those who had incurred the charge of superstition by their zeal to enforce the observance of the ceremonies. Both met with different degrees of punishment according to the temper of the house; some were reprimanded by the speaker, some thrown into prison, and others bound to good behaviour*.

3°. In like manner they revised those proceedings in the star-chamber which had given offence by their severity. Prynne, Burton, and Bastwick were recalled from their several places of confinement, that they might pursue their own cause in person. They entered London on different days in triumphant procession, attended by hundreds of carriages and thousands of horsemen, amidst multitudes on foot, all wearing bay and rosemary in their hats. Their sentences were reversed, and damages to the amount of 5000*l.* were awarded to each against his judges†.

4°. Both houses concurred in pronouncing the commissions for the levy of ship-money, and all the proceedings consequent on those commissions, to be illegal. The commons resolved that the earl marshal's court, and that of the council at York, were grievances; appointed committees to inquire into the origin and constitution of the stannary court, and that of the marshes of Wales; to ascertain the legality or illegality of enforcing escuage, and exacting fines for neglect to receive the order of knighthood; and to investigate the conduct of all the

* Journals, Dec. 19. March 20. June 1.

† Ibid. Dec. 7. 9. 30. Feb. 22. 25. March 2. 12. 24. April 20. May 20. Baillie, i. 222.

lords lieutenant and their officers who had levied coat and conduct money during the late expedition*.

5°. Among the king's advisers there was no man more feared for his abilities, more hated for his advocacy of despotism, than the earl of Strafford, "the great apostate," as he was termed, "from the cause of the people." His friends wished him to decline the approaching storm, either by remaining in Yorkshire at the head of the army, or by repairing to his government of Ireland. But to a man of his stern and fearless mind such counsel savoured of cowardice; and, when the king, assuring him of protection, requested his presence, he lost not a moment in repairing to the metropolis. His unexpected arrival surprised and disconcerted his enemies, who knew his influence over the judgment of their sovereign, and who feared that he might anticipate the charge against himself, by accusing them of a treasonable correspondence with the Scots. A day was
 Nov. 11. spent in arranging their plan; the next morning the commons debated with closed doors; and, when these were opened, the majority of the members proceeded to the bar of the lords, where Pym, in their name, impeached the earl of Strafford of high treason. That nobleman was, at the moment, in close consultation with the king; he hastened to the house, and was proceeding to his place, when a number of voices called on him to withdraw. On his re-admission he was ordered to kneel at the bar, and was informed by the lord-keeper that, in consequence of the impeachment by the commons, the house had ordered him into the custody of the black rod till he should clear himself from the charge. He began to speak, but was immediately silenced, and departed in the charge of Maxwell, the usher †.

* Ibid. Nov. 23, 24. 27. Dec. 7. 19. 23. 24. Mar. 20. May 13, 14. July 1. 14. Lords' Journals, iv. 136. 156. 173.

† See Baillie, 217. and the Lords' Journals 88, 89. This was only a general charge, without specifying any particular; it was not till the 24th that the house could agree on the several articles. Journals, Nov. 11. 24. Yet Strafford had no right to complain; he had formerly advised a similar proceeding against the duke of Buckingham. Warwick's memoirs, 111.

The next minister doomed to feel the severity of the lower house was secretary Windebank. In the execution of his office he had signed several warrants for the protection of recusants, and others for the discharge of priests from prison. In all these instances he had acted by the order of the king, and, for greater security, had obtained a pardon under the royal signature. Charles, however, was unwilling to have his name implicated in the question; nor were the patriots eager to shed the blood of the secretary. He availed himself of their delay in the prosecution of the case, obtained a passport from Dec. the king, and saved his head by a timely flight into 4. France*.

To prepare the way for the impeachment of arch- 15.
bishop Laud, the commons resolved that the convoca-
tion had no authority to bind either laity or clergy with-
out the consent of parliament; that the benevolence 16.
which it had lately granted to the king was illegal;
that the constitutions which had been enacted were pre-
judicial to the authority of the crown, to the rights of
parliament, and to the liberties of the subject; and that
an inquiry should be instituted into the conduct of the
metropolitan, who was supposed to be the real author
not only of these measures, but of other attempts to
subvert the laws and religion of the nation. Two days
later Holles charged him at the bar of the upper house 18.
with the crime of high treason. He rose with his usual
warmth, protested his innocence, and was proceeding to
arraign the conduct of his accusers, when the earl of
Essex and the lord Say sharply called him to order;
and the house, refusing to hear his explanation, placed
him under the custody of the black rod. Six weeks
later the archbishop was transferred to the Tower†.

* Journals of Commons, 26. 33. 44. 45. See his letters in Prynne's Hidden Works. "Nevertheless rather than his majesty or his affairs should suffer, I desire the whole burden may be laid upon me: and, though I have his majesty's hand for most of them, and his commandment for all, yet I will rather perish than produce them, either to his prejudice, or without his permission." From Calais, Dec. 6. p. 127.

† Journals of Commons, 51. 54. Of Lords, 112. Laud's Troubles, 75.

Dec. Finch, the lord-keeper, who, when he was chief justice, had distinguished himself by the zeal with which he contended for the legality of ship-money, was previously admonished by the resolutions of the two houses of the fate which he had to expect. He solicited permission to plead his cause before the commons; and his eloquence and tears awakened the compassion of many among the members: but such feelings were condemned as a criminal weakness by the more sturdy patriots; and Finch the same afternoon was impeached before the lords of high treason. But he had already absconded: no trace of his retreat could be discovered; and in a few days it was understood that he had sought and obtained an asylum in Holland. That his brethren, the other judges, who had concurred with him in opinion, might not imitate him in his flight, each was bound, at the request of the commons, to make his appearance when called upon, in the sum of 10,000*l*. *

21. The king, though the prerogatives which he considered the firmest supports of his throne were crumbling beneath him, though his friends and advisers were harassed with impeachments, fines, imprisonment, and death, appeared to make no effort in his own favour, but to resign himself with indifference to his fate. The fact was, that he felt unequal to a contest with the two nations at the same time, and waited impatiently for the moment when the conclusion of the treaty, and the disbanding of the Scottish army, would permit him to reassume the ascendancy. The commissioners from the tables had been received as friends and deliverers by the leaders of the country party. The strictest union was quickly cemented between them; both professed to believe that their cause was the same, that they must stand or fall together; and, while the patriots engaged to support the Scottish army during its stay, and to supply it with a handsome gratuity at its departure, the covenanters stipulated to prolong the treaty, and to de-

* Journals of Commons, 55. Of Lords, 114, 115.

tain their forces in England, till the projected reform in church and state should be fully accomplished *.

Charles, in his eagerness to conclude the negotiation, was induced to concede many points which he would otherwise have refused. To the three first demands of the Scots, that the acts of their late parliament should be confirmed, that natives alone should be appointed to the government of the royal castles, and that their countrymen should not be harassed either in England or Ireland with unusual oaths†, after a few objections, he consented: but he made a resolute stand against the fourth, that the punishment of the incendiaries should be left to the discretion of the two parliaments. It was, he argued, to require that he should dishonour himself. Those whom *they* called incendiaries were men who had incurred their displeasure by obeying *his* commands, and whom, on that account, he was bound to protect. He pleaded particularly in favour of Traquaire, and claimed the right of judging that nobleman himself, because he had acted as royal commissioner. But Traquaire, falling on his knees, earnestly prayed that the life of an humble individual like himself might not stand in the way of a reconciliation between the king and his people; the Scots threatened to solicit the advice and interposition of the English parliament; and Charles, though it evidently cost him a painful struggle, signified his acquiescence. Their next claim, the restoration of captured ships and merchandise, was quickly adjusted; and that of indemnification, as a pecuniary question, the king referred to the house of commons, who voted two sums, one of 125,000*l.* 1641. Feb. 3.

* This is plain from almost every page of Baillie's correspondence during the six months that the negotiation continued. When they came in February to the last demand, Baillie writes, "this we will make long or short, according as the necessities of our good friends in England require: for they are still in that fray, that if we and our army were gone, yet were they undone." p. 240.

† Strafford had compelled the Scots in Ireland to take an oath of allegiance, by which they renounced all contrary covenants, and promised never to enter into any covenant against any other person without the king's authority. See it in Rushworth, viii. 494.

for the charges of the Scottish army during five months, and another of 300,000*l.*, under the denomination of "a friendly relief for the losses and necessities of their brethren in Scotland * " At length the commissioners came to their last demand, the establishment of a solid peace between the two nations. The king anticipated a speedy conclusion of this most vexatious treaty, but he soon found himself disappointed. Under this head they presented to him only two articles, reserving to themselves a discretionary power of adding others, when and in what manner they might deem expedient †.

It soon appeared that the Scottish deputies acted not only in a political, but also in a religious, character. While they openly negotiated with the king, they were secretly but actively intriguing with their friends of the country party, to procure in England the abolition of the episcopal, and the substitution of the presbyterian, form of church government. This they seemed to consider as the chief object of their mission, and this they pursued with the most edifying perseverance and industry. But it was a question on which great latitude of opinion prevailed. In the city the presbyterians composed a very considerable party: but among the reformers in parliament there were many who, willing as they might be to reduce the wealth, the power, and the jurisdiction of the bishops, resolutely opposed the extinction of the order; while others, under the banners of the lords Say, Wharton, and Brooke, looked with equal abhorrence on episcopacy and presbyterianism, and laboured to introduce the more equal system of the independents. The Scots, however, with the aid of their English friends, procured petitions to be presented from several of the counties, from 15,000 inhabitants of the metropolis, and from 1800 ministers, all praying for the total abolition

* "300,000*l.* sterling," exclaims Baillie, "5,400,000 merks Scots, is a pretty sum in our land." Baillie, i. 240.

† Journals, Jan. 22 Feb. 3. Lords' Journals, iv. 151. Baillie, i. 221. 223. 228. 233. 240. "It was not (to give in all the propositions at once) possible for us, nor conducive for the ends of the English, who required no such haste." Ibid. 243.

of the hierarchy. They were strenuously opposed by the lords Digby and Falkland, by Selden and Rudyard: lord Digby compared the petition from London, called the root and branch petition, to a comet with its tail pointing to the north, and portending nothing but confusion and anarchy; lord Falkland was willing to relieve the bishops from those secular offices and dignities which rendered them less efficient as ministers of the gospel, and from that portion of secular wealth which was attendant on such offices and dignities; but he would oppose with all his influence every attempt to abolish the episcopal order and episcopal jurisdiction. After a debate of two days, and a division in which the anti-episcopalians obtained a majority of thirty-two, the petitions were referred to a committee*. This success, though it encouraged their hopes, was far from assuring them of the victory. The king informed the parliament that his conscience would never allow him to assent to the destruction of an order which he deemed essential to Christianity; while the Scots on the contrary reasoned and solicited, prayed and preached, in favour of the presbyterian kirk. Curiosity and devotion led numbers to their service: the church allotted for their use was crowded from morning to night; and the lessons inculcated by their divines were zealously diffused by the auditory throughout the city. They were taught that the "knot of the question could only be cut by the axe of prayer;" and fasts were solemnly observed by the godly, that "the Lord might join the breath of his nostrils with the endeavours of weak men, to blow up a wicked and anti-scriptural church†."

The marquess of Hamilton had suggested to Charles the policy of disarming the hostility of the reformers, by

* "They contested on together from eight in the morning to six at night. All that night our party solicited as hard as they could. Tomorrow some thousands of the citizens, but in a very peaceable way, came down to Westminster Hall to countenance their petition." Baillie, 244.

† Baillie, 222. 224. 227. 230. 231. 236. 244. 250. Journals of Commons, 72. 91. 101.

Feb.
27.

admitting them to his counsels. The king heard him with expressions of displeasure: but the desire to save the lives of his friends, and to retain episcopacy in the church, subdued his repugnance; and Bristol, Essex, Bedford, Hertford, Mandeville, Savile, and Say, were, by his command, sworn of the privy council. At first the appointment gave general satisfaction; but in a few days it was remarked that the language of the new counsellors had become more courtly, their zeal less bitter. They were charged with apostacy: the suspicion was extended to the Scottish commissioners; and the city rung with complaints against the selfishness and perfidy of public men. In their own defence, the Scots published a most intemperate paper against Strafford and Laud, and the whole bench of bishops. It offended not only the king, but their own friends in both houses; it was taken as an attempt on their part to dictate to the parliament of England. They had again recourse to fasting and prayer, and printed an explanation of their sentiments in more conciliatory language; but they had already lost so many votes, that their allies in the lower house dared not, as had been intended, to bring forward a motion for the abolition of episcopacy; and substituted in its place a resolution that “the legislative and judicial powers of the bishops in the house of lords were a hindrance to the discharge of their functions, prejudicial to the commonwealth, and fit to be taken away*.”

Mar.
10.

It was, however, of benefit to the cause of episcopacy that at this moment the minds of its adversaries were occupied with a subject of more absorbing interest—the trial and fate of Strafford. That the king was strictly bound in honour to protect the life of that obnoxious and

* Journals, March 10. Baillie's account of the offence taken at the paper published by the Scottish commissioners is amusing. He concludes thus: “We were fallen half asleep in a deep security. . . . By this blast God wakened us. We fled to our wonted refuge, to draw near to God. The godly in the city, in divers private societies, ran to fasting and prayer. By these, our old and best weapons, we are beginning to prevail. Praise be to his holy name.” p. 249.

unfortunate nobleman, cannot be doubted. Of this he was sensible himself: to this he was urged by the representations of the queen. But how or where was Charles, in his present condition, to discover the means of shielding Strafford from the vengeance of his enemies? The presence of the Scottish army forbade any military movement, and the necessity of providing for its subsistence ensured the permanence of the parliament: the recent prosecutions had silenced the friends of the crown in both houses; and the king's indigence had compelled him to pawn his jewels to obtain provisions for his table. In these circumstances Charles pursued that line of conduct which is always pursued by men of irresolute habits: he waited to avail himself of the first favourable accident which the course of events might offer, and in the mean while amused himself with different attempts to procure assistance from foreign powers. 1. He saw that it was time to abandon the design which he had cherished of marrying his son Charles to an infanta, and his daughter Mary to the infant of Spain. Two protestant suitors for the hand of Mary were now before him, his nephew the prince palatine, and William, the son of Frederic. The palatine was the favourite with the popular leaders: Charles preferred the Dutch prince on account of the influence of his father with the States, and of the promises which he made of attachment and assistance. A royal message announced the intended marriage to parliament; and the espousals followed in the beginning of May; but the princess (she was only in her tenth year) was permitted to remain in England till she should have completed her twelfth: and Frederic immediately proved his gratitude and sincerity, by the transmission to the king of a sum of money amounting to several thousand pounds*.

2. Henrietta had persuaded herself that by personal application she might work on the feelings of her brother, the king of France; and, taking advantage of a slight

* Rosetti to Barberini, 17 Maggio, N. S.

- Jan. indisposition, she gave out that a visit to her native
 28. country was necessary for the re-establishment of her health. The pretext was too flimsy to blind the eyes of the popular party: and the earl of Holland, whose services had been already secured by Cardinal Richelieu, was careful to acquaint that minister with her real object. Richelieu had no intention that the daughter of his inveterate enemy, the queen-mother of France, should enjoy the opportunity of instilling her opinions into the private ear of his sovereign; and when Henrietta solicited the assent of her brother, declaring that without his aid she saw nothing before her but inevitable ruin, she received an answer dictated by the cardinal, that, though Louis would be always happy to receive his sister, he was convinced that her absence from England at that moment would accelerate the ruin which she feared*. 3. The queen knew from whom this refusal proceeded; and was not slow to make known her vexation and disappointment: at the same time she derived some consolation from the partial success of an application which she had made to the pope, asking for a grant of 150,000 crowns from the treasure deposited in the castle of San Angelo, and offering in return the king's promise to abolish the penal laws against catholics, in Ireland immediately, in England as soon as he should have recovered the full exercise of his authority. But experience had taught Urban to put little faith in the royal promise: and he replied that the money in question was not his own, but a conscientious trust: of which he could dispose to none but catholic princes, and to them only for religious purposes. His nephew Barberini, however, to soften the refusal, made to her a present of 35,000 crowns out of his own purse—a temporary and inadequate supply, but which was accepted with joy and gratitude†.

* Mazure, iii. notes, 414—22.

† MS. correspondence of Barberini and Rosetti. Jan. 26. Feb. 9. 16. April 12. May 10. N. S.

Thus it happened that Strafford had to contend singly with a multitude of foes. The population of the three kingdoms was arrayed against him. The Scottish commissioners pronounced him an incendiary, and loudly called for the blood of the man who had urged their king to make war on his faithful subjects. The Irish parliament had proved its dissatisfaction from the moment he ceased to awe it by his presence. Last year the commons had torn from their journals the eulogium which they formerly voted on his administration; and, by cutting down the subsidies to their original amount, had prevented the Irish expedition from sailing in aid of the English army. Now they sent deputies to present to the king a remonstrance, detailing under sixteen heads the grievances which they suffered from the despotism of the lord lieutenant, and at the same time solicited the English house of commons to join with theirs in procuring justice for an oppressed and impoverished people*. But the severest blow which he received was an order made by the lords, and admitted by the king, that the privy counsellors should be examined upon oath, respecting the advice given by Strafford at the board; a precedent of lasting prejudice to the royal interest: for who after this would give his opinion freely, when he knew that such opinion might be made the matter of impeachment against him at the pleasure of his enemies?

Westminster hall had been fitted up for the trial. On each side of the lords sat the commons on elevated benches as a committee of their house, and near them the Scottish commissioners with the Irish deputies, the bearers of the remonstrance. Two private boxes behind the throne were prepared for the accommodation of the king and queen, whose presence, it was hoped, would act

* Carte's Ormond, i. 109—115. Journals, Nov. 30. Rushworth, iv. 53. 67. This has often been described as a petition from the Irish parliament: but in the journals it is denominated "the petition of several knights, citizens, and burgesses of the commons house of parliament in Ireland, *whose names are underwritten.*"

as a check on the forwardness of the witnesses and the violence of the managers. Near them a gallery had been erected, which was daily crowded with ladies of the highest rank. They paid high prices for admission: many took notes; and all appeared to watch the proceedings with the most intense interest. A bar, stretching across the hall, left one third for the use of the public*.

Each morning at nine the prisoner was introduced. He made three obeisances to the earl of Arundel, the high steward, knelt at the bar, then rose, and bowed to the lords on his right and left, of whom a part only returned the compliment. The managers, thirteen in number, opened the proceedings with a speech relative to some particular charge; their witnesses were examined and cross-examined upon oath; and the court adjourned for thirty minutes, that Strafford might have time to advise with his counsel, who sat behind him. When the court resumed, Strafford spoke in his own defence, and produced his witnesses, who, however, according to the practice of the age, were not examined upon oath. The managers then spoke to evidence, and the prisoner was remanded to the Tower†.

Mar. Thus the proceedings were conducted during thirteen
23. days. The articles against him amounted to eight-and-twenty, three of which charged him with treason, the others with acts and words, which, though perhaps not treasonable separately, might in the aggregate be called

* Rushworth, viii. pref. Baillie, i. 257. Whitelock, 41.

† Principal Baillie has given an interesting account of the trial in his letters to the presbytery of Irvine. "Westminster hall," he informs them, "is a room as long (and) as broad, if not more, than the outer house of the high church at Glasgow, supposing the pillars were removed. . . . We always behoved to be there a little after five in the morning. The house was daily full before seven. The tirlies that made them (the king and queen) to be secret, the king brake down with his own hands; so they sat in the eyes of all, but little more regarded than if they had been absent. . . . It was daily the most glorious assembly the isle could afford; yet the gravity not such as I expected. . . . After ten much public eating, not only of confections, but of flesh and bread, bottles of beer and wine going thick from mouth to mouth without cups, and all this in the king's eye. . . . There was no outgoing to return; and oft the sitting was till two, three, or four o'clock at night. p. 257—259.

accumulative treason, because they proved in him a fixed endeavour to subvert the liberties of the country. The former stated that in Ireland he had billeted soldiers on peaceable inhabitants, till he compelled them to submit to his illegal commands; that he had raised an army in Ireland, and advised the king to employ it in bringing *this* kingdom into subjection; and that of his own authority he had imposed a tax on the people of Yorkshire for the maintenance of the trained bands. The latter accused him of hasty, imperious, and unjustifiable expressions indicative of his temper and views, and of illegal proceedings by some of which he benefited his own fortune, by others he had injured the king's subjects in their liberties and property. Strafford replied with a temper and eloquence which extorted praise even from his adversaries. To some of the charges he opposed warrants from the king, some he peremptorily denied, and others he sought to elude, by urging in his own favour the constant practice of the deputies who preceded him in Ireland. Against the new principle of accumulative treason he protested with spirit, ridiculing with felicity the arguments in its support, and appealing for protection to the statute-law, the safeguard to preserve the liberties, and the beacon to guide the conduct, of the subject.

As the trial proceeded, whether it were owing to his eloquence, or the violence of his prosecutors, or his frequent appeals to the pity of the audience, it was plain that the number of his friends daily increased. The ladies in the galleries had long ago proclaimed themselves his advocates; on the thirteenth day it appeared that the lords, who had formerly treated him so harshly, were won over to his cause. At the very commencement of the prosecution, sir Henry Vane, the younger, had purloined from the cabinet of his father, the secretary, a very important document, containing short notes taken by that minister of a debate at the council-table on the morning of the day on which the last parliament was

dissolved. In it Strafford was made to say, "Your majesty, having tried the affection of your people, are absolved and loosed from all rule of government, and to do what power will admit. Having tried all ways, and being refused, you shall be acquitted before God and man; and *you have an army in Ireland, that you may employ to reduce this kingdom to obedience*: for I am confident that the Scots cannot hold out five months." Vane communicated the discovery to Pym; the contents of the paper were moulded into the form of a charge, though the source from which the information had been derived was carefully concealed; and, to procure evidence in its support, each of the privy counselors was examined, not only by written interrogatories, but also viva voce before the committee of impeachment. Of the most important passage, the advice to employ the Irish army "to reduce this kingdom," meaning by the pronoun "this" the kingdom of England, none of them had any recollection: even the secretary himself, on the first examination, replied that "he could not charge Strafford with that," and, on the second, that "he could say nothing to that;" but, before the third, it is probable that his memory had been aided by the inspection of a copy taken by Pym*, for he then recollected the very words, and deposed that they were uttered by the lord lieutenant†. At the trial itself he repeated the same evidence, but knew not whether by "this kingdom" was meant England or Scotland; and in opposition to him Strafford produced all the members of the council excepting Windebank, an exile in France, and Laud, a prisoner in the Tower, who declared that they had no recollection of the words; that the debate regarded the means of reducing Scotland, not England; and that they never heard the slightest hint of employing the Irish army anywhere but in the former king-

* The original had been burnt with other papers respecting the last parliament. Baillie, 288. Clarendon, i. 230.

† Rushworth, viii. 52.

dom. It was evident that in this charge the managers had failed: they determined, as their only resource, to bring forward the notes themselves; and with this view, on the morning on which the prisoner was to enter on April the recapitulation of his defence, they demanded leave ^{10.} to produce additional evidence. The lords adjourned twice to their own house; they required the advice of the judges, and, after a long debate, resolved, with only one dissenting voice, that, whatever favour were granted to the accusers, the same should be extended to the accused. This answer was received with a deep murmur of disapprobation. Suddenly was heard a cry of "withdraw, withdraw:" and the commons, hastily retiring to their own house, deliberated with closed doors*.

It is singular that these ardent champions in the cause of freedom should have selected for their pattern Henry VIII., the most arbitrary of our monarchs. They even improved on the iniquity of the precedents which he had left them; for the moment that the result became doubtful, they abandoned the impeachment which they had originated themselves, and, to ensure the fate of their victim, proceeded by bill of attainder. They saw, in fact, that during the fifteen days of public trial Strafford had won many friends by the modesty of his demeanour and the eloquence of his answers; and they had ground to fear that, if they proceeded to argue in Westminster hall the weakest part of their case, the question whether any or all the charges amounted to the legal guilt of high treason, the defection from their ranks would be daily augmented. They had moreover received hints of some secret intrigue against them

* Baillie, i. 288, 289. Rushworth, viii. 552—571. Clarendon, i. 229. Lords' Journals, 207. Nalson, ii. 206. State Trials, iii. 1158. Cobb. Parl. Hist. ii. 744. While Whitelock was chairman of the committee, this important paper had disappeared. Every member solemnly protested that he did not take it away, nor know what had become of it. Copies, however, were given to the king and to Strafford. That in the possession of Charles was afterwards found to be in the hand-writing of lord Digby, whence it was inferred that he was the thief. The proof is not conclusive. Whitelock, 43, 44.

among the officers of the army*, and were not ignorant of the continual exertions of the king and queen, who spared neither prayers nor promises to influence the opinions and inclination of the lords. Hence they concluded that the time was come to execute the plan which had been discussed among them long before†: Pym read, for the first time, the notes of secretary Vane to the house; and immediately a bill was introduced to attain the earl of Strafford, for endeavouring to subvert the liberties of the country. It met with strong opposition in every stage, particularly from lord Digby, son to the earl of Bristol, one of the most eloquent, and hitherto most popular members‡. But it was not in his power

April to stem the torrent: on the eleventh day the bill was
 21. read a third time and passed; and the next morning the names of fifty-four members, who had the courage to vote against it, were placarded in the streets, under the designation of "Straffordians, who, to save a traitor, were willing to betray their country."

In the mean time the lords had proceeded, as if they were ignorant of the bill pending in the lower house. Strafford made his defence before them. He repeated in short the observations which he had previously made; contended that nothing objected to him could amount to
 13. the crime of treason, and derided the new notion of accumulative treason, as if entity could be produced from the aggregation of nonentities. In conclusion he appealed to his peers in these words. "My lords, it is my present misfortune, it may hereafter be yours. Except your lordships provide for it, the shedding of my blood will make way for the shedding of yours:

* As early as the 3rd of March. Dalrymple, ii. 114. 9.

† Wariston, in his letter of Ap. 2, says "if they see that the king gains many of the upper house not to condemn him, they will make a bill of teinture." Dalrymple, ii. 117. This passage appears to me to solve the question which is sometimes asked, why the popular leaders abandoned the course on which they had entered, and chose to proceed by bill of attainder.

‡ See his speech in Rushworth, viii. 50—53. Nalson, ii. 157—160. It is, I think, decisive on this charge.

“you, your estates, your posterities be at stake. If such
 “learned gentlemen as these, whose tongues are well
 “acquainted with such proceedings, shall be started out
 “against you; if your friends, your counsel, shall be
 “denied access to you; if your professed enemies shall
 “be admitted witnesses against you; if every word,
 “intention, or circumstance, be sifted and alleged as
 “treasonable, not because of any statute, but because of
 “a consequence or construction pieced up in a high
 “rhetorical strain, I leave it to your lordships’ consider-
 “ation to foresee what may be the issue of such a
 “dangerous and recent precedent.

“These gentlemen tell me they speak in defence of
 “the commonwealth against my arbitrary laws; give
 “me leave to say it, I speak in defence of the common-
 “wealth against their arbitrary treason. This, my
 “lords, regards you and your posterity. •For myself,
 “were it not for your interest, and for the interest of a
 “saint in heaven, who hath left me here two pledges
 “upon earth:” (at these words his breath appeared to
 stop, and tears ran down his cheeks: but, after a pause
 he resumed :) “were it not for this, I should never take
 “the pains to keep up this ruinous cottage of mine. I
 “could never leave the world at a fitter time, when I
 “hope the better part of the world think that, by this
 “my misfortune, I have given testimony of my integrity
 “to my God, my king, and my country. My lords!
 “something more I had to say, but my voice and my
 “spirits fail me. Only in all submission I crave that
 “I may be a pharos to keep you from shipwreck. Do
 “not put rocks in your way, which no prudence, no cir-
 “cumspection, can eschew. Whatever your judgment
 “may be, shall be righteous in my eyes. In te Domine”
 (looking towards heaven) “confido: non confundar in
 “æternum *.”

* State Trials, 1462—1469. “At the end he made such a pathetic
 “oration for half an hour as ever comedian didon the stage. The matter
 “and expression was exceeding brave. Doubtless, if he had grace and
 “civil goodness, he is a most eloquent man. One passage is most spoken

The king, as soon as the bill of attainder passed the lower house, was careful to console his friend with the assurance that, though he might deem it expedient to make some sacrifice to the violence of the times, he would never consent that one, who had served the crown with such fidelity, should suffer in his life, or fortune, or honours. Perhaps, when he made this promise, he relied on his own constancy, perhaps on the success of some one of the projects in which he was engaged. 1°. It had been suggested to him to secure the Tower, which had no other guard than the servants of the lieutenant, by the introduction of a company of 100 trusty soldiers; or to order the removal of Strafford to another prison, so that he might be rescued on the way. But Balfour, the lieutenant, was true to the cause of his countrymen. He refused obedience to the royal warrant, and spurned the offer, made to him by his prisoner, of a bribe of 22,000*l.*, and a desirable match for his daughter. 2°. The preference which the commons had shown for the Scottish army, their care to supply the invaders with money, while the pay of the English force in Yorkshire was allowed to accumulate in arrear, had created jealousy and discontent in the latter. Hence occasion was taken to sound the disposition of the officers, and to propose several plans by which the army might be brought into the neighbourhood of the capital, to overawe the parliament, and to give the ascendancy to the royalists. That the king was privy and assenting to these projects is certain: they were defeated by the disagreements among the officers, and the resentment of colonel Goring, who had aspired to the rank of a principal commander, and who, to gratify his disappointed ambition, betrayed the substance of the project to the earl of Newport, by

“ of: his breaking off in weeping and silence, when he spoke of his first wife. Some took it for a true defect in his memory; others for a notable part of his rhetoric: some that true grief and remorse at that remembrance had stopt his mouth; for they say that his first lady, being with child, and finding one of his mistress’s letters, brought it to him, and, chiding him therefore, he struck her on the breast, whereof she shortly died.”
Baillie, 291.

whom it was revealed to the leaders of the party*. 3°. The king had offered to leave the disposal of all the great offices of state to the earl of Bedford, in return for the life of Strafford. The condition was accepted; and that nobleman communicated it to his friends, who, with the exception of the earl of Essex, cheerfully acquiesced. Unfortunately, in the course of a few days Bedford died, and the lord Say was employed in his place. By the advice of this new counsellor, Charles sent for the two May houses, and informed them in a short speech that, had¹ they proceeded according to law, he would have allowed the law to have its course; but, by adopting the way of attainder, they had forced him to act in quality of a judge. He would therefore tell them that neither Strafford nor any other of his counsellors had ever advised him to employ the Irish army in England, or to alter the laws of the kingdom, or to look upon his English subjects as disloyal or disaffected. With this knowledge it was impossible that he should condemn the earl of treason, or pass the bill of attainder, if it were presented to him for his assent. That Strafford had been guilty of misdemeanors was evident; and he was willing to punish him by exclusion from office during his life: but further he could not go: wherefore he conjured the lords to discover some middle way, by which they might satisfy public justice, without offering violence to the conscience of their sovereign †.

This well-meant but ill-timed speech sealed the doom of the unfortunate prisoner. The commons resented it as a most flagrant violation of the privileges of parlia-

* Whilelock 46. Nalson, ii. 272. Warwick, 178. See the evidence in Rushworth, iv. 252—257. and Husband's Collection, 1643. It is difficult to arrive at the real history of the intrigue, as all the witnesses evidently strove to secure themselves from blame both with the king and the parliament: but it is plain, from the despatches of Rosetti, that the king attempted to gain the army through the chief officers, and that he had ordered the fortifications of Portsmouth to be strengthened, and had given the command to colonel Goring, for two purposes, that he might have a place of retreat, if he were forced to quit London, and a post for the disembarkation of troops, which might come to his aid from Holland and France. Rosetti, 12th Ap., 14th May, N.S.

† Journals, 231, 232. Rushworth, viii. 734. Laud's Troubles, 176.

- May ment; the ministers employed the following day (it
 2. was the Sabbath) in stimulating from the pulpit the pas-
 3. sions and fanaticism of their hearers; and on the Monday
 crowds of men were seen in every direction crying out,
 "justice, justice," and declaring that they would have
 the head of Strafford or that of the king. They paraded
 before Whitehall; they proceeded to Westminster, and,
 taking post in the palace-yard, insulted and menaced
 every member who was supposed to be friendly to the
 object of their vengeance. Pym seized the opportunity
 to detail and exaggerate to the house the dangers of the
 country, the real or imaginary plots to bring forward the
 army, to gain possession of the Tower, and to procure aid
 from France; and, while their minds were agitated with
 terror and resentment, proposed, in imitation of the
 Scottish covenant, a protestation, by which they bound
 themselves to defend their religion against popery, their
 liberties against despotism, and their king against the
 enemies of the nation. It was taken with enthusiasm,
 4. and transmitted to the lords, who ordered it to be sub-
 scribed by every member of their house. The intelligence
 was communicated by Dr. Burgess, a favourite preacher,
 to the populace, who expressed their satisfaction by
 cheers, and, at his command, peaceably withdrew to their
 habitations*.

Care was taken to keep alive the public excitement
 by a variety of rumours: but what chiefly inflamed the
 passions of the populace was, first a report that a French
 army was ready to come to the aid of the king, then that
 it had taken possession of Guernsey and Jersey, and lastly
 that it was actually landed at Portsmouth. That there
 was some ground for jealousy is plain: for Montague, a
 favourite of the queen, had been received at the French
 court, an army was actually assembled in Flanders, and

* Journals of Lords, 232. Of Commons, May 3. "They caused a
 "multitude of tumultuous persons to come down to Westminster armed
 "with swords and staves, to fill both the palace-yards and all the
 "approaches to both houses with fury and clamour, and to require justice,
 "speedy justice, against the earle." Stat. of Realm, v. 424.

a fleet had been collected on the coast of Bretagne. But Montreuil, the French envoy, had little difficulty in convincing the popular leaders, through the earl of Holland, that the army was destined for the war in the Netherlands, and the fleet for the protection of Portugal; and that Richelieu had no thought of affording aid to a prince whom he considered a personal enemy. Still the irritation of the populace rose to such a height that the envoy was repeatedly advised to save his life by concealment, and the queen in alarm actually ordered her May
6. carriages to Whitehall, that she might seek an asylum at Portsmouth. Had she left the court, her life would have been in danger: but her flight was prevented by a remonstrance from the lords to the king, and two hours later it became known that colonel Goring had revealed the secrets with which he was intrusted to the popular party*.

In the mean while the enemies of Strafford proceeded steadily towards the accomplishment of their object. His avowed friends were kept away from the house of lords by the threats of the rabble: the catholic peers were excluded by their refusal to subscribe the protestation: and, though eighty peers had attended the trial in Westminster hall, not half that number assembled to discuss the bill of attainder. The majority voted that two of the charges had been proved, the fifteenth and nineteenth, importing that Strafford had quartered soldiers on the peaceable inhabitants without lawful cause, and had imposed of his own authority an illegal oath on all Scotsmen dwelling in Ireland. The judges were then called in; and to a question from the house replied that, taking the case as it had been proposed to them, Strafford had deserved to undergo the pains and forfeitures of treason. 7.
The next morning the bill was 8.
read a fourth time and passed without amendment and a deputation was appointed to solicit in the name of both houses the royal assent and the speedy execution

of the delinquent*. All that day the court presented a scene of the utmost terror and distress. Every hour intelligence was brought of the excitement of the people, of the crowds assembled in the palace-yard, of their tumultuous cries and threats of vengeance: and a general persuasion existed that the king's refusal would be followed by a forcible irruption of the rabble into Whitehall, the captivity of his person and that of the queen, and the massacre of their servants. A little after four the deputation arrived at the palace, and was admitted: the crowd which accompanied them, 2000 men, most of them with arms, remained at the gate. What passed within we know not, but after some delay a minister—probably the same Dr. Burgess—appeared at a window, and announced that the king had promised to go on Monday morning to the house of lords and give the royal assent. The people immediately dispersed with shouts of triumph†.

May 4. Strafford had already written to Charles a most eloquent and affecting letter. He again asserted his innocence of the capital charge, and appealed to the knowledge of the king for the proof of his assertion; still he was ready, he was anxious, to sacrifice his life as the price of reconciliation between the sovereign and his people. He would, therefore, set the royal conscience at liberty by soliciting him to give his assent to the bill of attainder. "My consent, sir," he proceeded, "shall more acquit you herein to God, than all the world can do besides. "To a willing man there is no injury done; and, as by

* Journals, 239—241. The original passage has been erased from the Lords' Journals: but Whitelock, who could not be ignorant, as he was one of the managers, informs us that the articles found to be proved were the fifteenth and nineteenth (Whitelock, 45). Radcliffe says that the fifteenth, the twenty-third, respecting the advice to employ the Irish army in England, and perhaps one more, were voted to be proved: but, as his memory might be deceived, he refers to the journals. He adds that the numbers on the division were twenty-two against sixteen. (Strafford Papers, ii. 432). But, whatever the articles were, the bill was passed in the same shape in which it came from the commons. See it in Rushworth, viii. 756.

† Journals, 242. Rosetti, 24 Maggio. He went by the meadow to Whitehall, and found the queen afflittissima, liquefacendosi in pianto.

“ God’s grace I forgive all the world, so, sir, to you I
“ can give the life of this world with all the cheerfulness
“ imaginable, in the just acknowledgment of your ex-
“ ceeding favours; and only beg that in your goodness
“ you would vouchsafe to cast your gracious regard upon
“ my poor son and his three sisters, less or more, and
“ no otherwise than as their unfortunate father may ap-
“ pear hereafter more or less guilty of this death.” It
may, however, be questioned, whether he really felt the
magnanimous sentiments which he so forcibly expressed.
He knew that within three months a similar offer had
saved the life of Goodman; and afterwards, when he
heard that the king had complied, he is said to
have started with surprise from his chair, exclaiming,
“ Put not your trust in princes, nor in the sons of men,
“ for in them there is no salvation *.”

The king passed the Sunday in a state of the most
poignant distress. Which was he to do, to break his word
to the two houses, or to make himself accessory to the
murder of a faithful servant? In this dilemma he sent for
the judges, and inquired the grounds of the answer May
given by them to the lords; he sent for the bishops, and 9.
exposed to them the misgivings of his own conscience.
One, Juxon of London, honestly advised him not to
shed the blood of a man whom he believed to be inno-
cent; Williams, and with him were three others, replied
that, whatever might be his individual opinion as Charles
Stuart, he was bound in his political capacity as king to
concur with the two houses of parliament. At the same
time he was reminded of the dangers which threatened
both himself and his family; that the public mind in the
capital was kept in a state of alarming agitation; that
reports of plots the most improbable were circulated and
believed; and that a refusal on his part would infallibly
provoke a tumult, the consequence of which could not be
contemplated without horror. Late in the evening he

* Rushworth, viii. 743.

yielded, and subscribed with tears a commission to give his assent to the bill *.

- As a last effort to save the life of a servant whom he so highly prized, Charles descended from his throne, and appeared before his subjects in the guise of a suppliant. By the hands of the young prince of Wales he sent a letter to the lords, requesting that, for his sake, the two houses would be willing that he should commute the punishment of death into that of perpetual imprisonment. But the vultures that thirsted for the blood of Strafford were inexorable; they even refused the king's request for a reprieve till Saturday, that the earl might have time to settle his temporal affairs†. The next morning the unfortunate nobleman was led to execution.
11. He had requested archbishop Laud, also a prisoner in the Tower, to impart to him his blessing from the window of his cell. The prelate appeared; he raised his hand, but grief prevented his utterance, and he fell senseless on the floor. On the scaffold the earl behaved with composure and dignity. He expressed his satis-
- May 12.

* Strafford Papers, ii. 432. Clarendon, i. 257. Laud's Troubles, 177.

† Lord's Journals, iv. 245. Burnet tells us, from Holles, whose sister Strafford had married, that he advised the following plan to save the earl's life. That Strafford should petition for a short respite to settle his affairs, the king with the petition in his hand should solicit the houses to be content with a minor punishment, and Holles should persuade his friends to accede to the proposal, on the ground that Strafford would revert to his first principles, and become wholly theirs. The queen, however, being told that Strafford would in that case accuse her, advised her husband to send the letter, "which would have done as well," had she not persuaded him to add the postscript, "if he must die, it were charity to reprieve him 'till Saturday;" which, he observes, was a very unhandsome giving up of the whole message. Burnet's Own Times, 32. This is told very correctly. That Strafford petitioned for a respite till Saturday, and that Holles promised him his life, if he would employ his credit with the king to procure the abolition of episcopacy, we learn from Laud: but he adds, on the authority of the earl's assertion to archbishop Usher, that Strafford refused the condition. Laud's Troubles, 177. Neither did the king give up the request by the conditional postscript: for the same condition runs through the whole letter: "if it may be done without discontentment to 'my people'—" "if no less than death can satisfy my people, fiat justitia." Journals, 245. The fact was, as Essex told Hyde, no minor punishment would satisfy the earl's enemies, who were persuaded that, if his life should be spared, the king would, at the conclusion of the parliament, grant him a pardon, and place him again over their heads. His death was their security. Clarendon, i. 242.

faction that the king did not think him deserving so severe a punishment; protested before God that he was not guilty, as far as he could understand, of the great crime laid to his charge; and declared that he forgave all his enemies, not merely in words, but from his heart. At the first stroke his head was severed from the body. The spectators, said to have amounted to one hundred thousand persons, behaved with decency: but in the evening the people displayed their joy by bonfires, and demolished the windows of those who refused to illuminate*.

Thus, after a long struggle, perished the earl of Strafford, the most able and devoted champion of the claims of the crown, and the most active and formidable enemy to the liberties of the people. By nature he was stern and imperious, choleric and vindictive. In authority he indulged these passions without regard to the provisions of law or the forms of justice; and, from the moment that he attached himself to the court, he laboured (his own letters prove it) to exalt the power of the throne on the ruin of those rights of which he once had been the most strenuous advocate. As president of the north, he first displayed his temper and pretensions; in Ireland he trampled with greater freedom on the liberties of the people; and after the rupture with the Scots he ceased not to inculcate in the council that the king had a right to take what the parliament had undutifully refused to grant. Yet, numerous and acknowledged as his offences were, the propriety of his punishment has been justly questioned. His friends maintained that, where the penalties are so severe, the nature of the offence ought to be clearly defined, to enable the subject to know and eschew the danger; that Strafford could not possibly suspect that he was committing treason, while he acted after ancient precedents, and on the recent decision of the

* Different copies of his speech may be seen in Somers' Tracts, iv 254—265.

judges in the case of ship-money ; that the doctrine of constructive and accumulative treason, on which the commons relied, was new and unknown to the law ; that it was unjust in his prosecutors, after they had impeached him before the lords, to interrupt the trial, because they anticipated his acquittal ; and that the introduction of the bill of attainder, the employment of force to intimidate the lords, and the violent means adopted to extort the assent of the king, sufficiently proved that vengeance as much as justice was the object of his adversaries. On their side it has been contended that the man who seeks to subvert the national liberties is not to escape with impunity, because his offence has not been accurately described in the statute-book ; that the case, whenever it occurs, is one which ought to be submitted to the decision of the whole legislature ; that no danger to the subject can be apprehended from such proceeding, because the ordinary courts of law do not make to themselves precedents from the conduct of parliament ; and that the attainder of Strafford was necessary to deter subsequent ministers from imitating his example. Perhaps it may be difficult to decide between these conflicting arguments : but to me there appears little doubt that, in a well-regulated state, it is better to allow to offenders any benefit which they may derive from the deficiency of the law than to bring them to punishment by a departure from the sacred forms of justice.

The commons, however, were not satisfied with the blood of Strafford. They announced their intention of proceeding with the charge against archbishop Laud, and impeached six of the judges of treason or misdemeanors, Wren, bishop of Ely, of an attempt to subvert religion by the introduction of superstition and idolatry, and thirteen of the prelates of illegal proceedings in the late convocation. But, though they threatened, they were slow to strike. Their attention was distracted by a multiplicity of business, and their progress was arrested

at each step by the intervention of new subjects of debate. The issue of several of these prosecutions will be noticed at a later period.

But a more exalted personage than any of these, the queen herself, began to tremble for her safety. She was a catholic; she had been educated in the court of a despotic monarch; and she was known to possess the attachment and confidence of her husband,—circumstances, any one of them, sufficient to excite the jealousy of the patriots, and to expose the princess to the misrepresentations of men who, with all their pretensions to religion, sedulously practised the doctrine that the end sanctifies the means*. They described her to the people as the head of a faction whose object it was to establish despotism and popery; and tales were daily circulated, and defamatory libels published, in proof of that pernicious influence which she was supposed to exercise over the uxorious mind of her husband. It is indeed true that, since the death of Buckingham, Charles had refused to have any other favourite than his wife; that he confided to her his cares, and fears, and designs; that he wished those who solicited favours to employ her mediation, that she might have the merit of serving them; and that he occasionally transmitted, through her agency, orders to his confidential friends. But the sequel of this history will demonstrate that she had not his judgment in her keeping: there were many points on which he required her to submit implicitly to his pleasure; and, when once he had taken his resolution, it was not in her power, by reasoning or impor-

* Clarendon, in his character of lord Digby, mentions "the foul arts they could give themselves leave to use, to compass anything they proposed to do; as in truth their method was, first to consider what was necessary to be done for some public end, and which might reasonably be wished for that public end, and then to make no scruple of doing anything which might probably bring the other to pass, let it be of what nature it would, and never so much concern the honour or interest of any person who they thought did not or would not favour their design." Clarendon Papers, iii. Supplement, liii. Clarendon was an adversary, but this assertion seems to be fully supported by the facts.

tunity, to divert him from his purpose*. Her mother, driven from France by the enmity of Richelieu, had found, during the two last years, an asylum in England, but the unpopularity of her daughter extended itself to the fugitive: she solicited a guard to protect her from the insults of the mob, and was induced by the advice of Charles to return to the continent. Henrietta, terrified by the threats of her enemies, announced her intention of accompanying her mother, but the commons inter-
 July 17. posed; at their solicitation the lords joined in a petition requesting her to remain; and the queen, in a gracious speech pronounced in English, not only gave her assent, but expressed her readiness to make every sacrifice that might be agreeable to the nation†.

Hitherto on most subjects the two houses had cheerfully concurred. Both had voted that the court of presidency of York was contrary to law; that the convocation had no power to make regulations, binding either clergy or laity, without the consent of parliament, and that bishops and clergymen ought not to hold secular offices, or be judges or magistrates; they had passed several bills successively, giving tonnage and poundage to the crown, but only for short periods, that the repetition of the grant might more forcibly establish their right, and others abolishing the courts of star-chamber and high commission, forbidding the levy of ship-money, taking away all vexatious proceedings respecting knight-hood, and establishing the boundaries of the royal forest; they had, moreover, obtained the king's assent to two most important acts,—one appointing triennial parliaments to be holden of course, and even without the
 Feb. 15. royal summons‡, and another investing themselves with

* See instances of this in his letters to her from Newcastle, in the Clarendon Papers, ii. 295. et. seq.

† Journals, iv. 314, 317.

‡ The summons was to be issued in the royal name by the chancellor or keeper of the great seal, and to this he was bound by oath; in his default by any twelve peers assembled at Westminster; and, if no peers assembled, then on a certain day the sheriffs, mayors, constables, &c., were, without further notice, to proceed to the elections of representatives under very severe penalties.

paramount authority, since it prohibited the dissolution, May prorogation, or adjournment of the present parliament ^{10.} without the previous consent of the two houses *. But the pretensions set up, and the power exercised, by the commons, began to provoke the jealousy of the lords. Many of the latter professed a determination to withstand every additional attempt to subvert the ancient constitution of the legislature, or the undoubted rights of the crown; and the king, that he might gain the services, or at least mollify the opposition, of the leading peers, gave the several offices of governor to the prince, lord chamberlain, lieutenant of Ireland, and master of the wards, to the earls of Hertford, Essex, Leicester, and the lord Saye. A new spirit seemed to be infused into the upper house, which successively rejected, as invasive of their rights, two bills sent from the lower house, one to exclude the bishops, and persons in holy orders, from intermeddling in secular affairs, the other to provide security for true religion. The lords were willing that ²⁵ bishops should not sit in the privy council, nor the star-chamber, nor courts of justice, nor on secular commissions, but refused to deprive them of their seats in the legislature; and with respect to the second ^{June} bill, which proposed to substitute for episcopal govern- ^{8.} ment that by presbyters with a superintendent, they threw it out on the second reading †.

These symptoms of misunderstanding between the lords and commons awakened the most pleasing anticipa-

* Charles gave his assent to this bill on the very day on which he consented to the death of Strafford, probably that he might mollify the enemies of that nobleman.

† Journals, iv. 257. 259. 269. 273. 281. 286. 298. 311. 333. 349. 357. To pay the English and Scottish armies, a poll-tax was voted in which dukes were rated at 100*l.*, marquesses at 80*l.*, earls at 60*l.*, viscounts and barons, at 50*l.*, baronets and knights of the bath at 30*l.*, knights at 20*l.*, esquires at 10*l.*, gentlemen of 100*l.* per annum at 5*l.*, and recusants to pay double: the scale descended through every rank and profession, to each person above sixteen years of age and not receiving alms. For these the lowest rate was sixpence. Somers' Tracts, iv. 299. This tax raised 157,061*l.* 16*s.* 11*d.* Ibid. p. 383. The reader is aware that in ancient times the three estates taxed themselves separately, and so much of the old custom was retained, that the lords still appointed receivers for themselves, and for such dowagers as had the privilege of the peerage, 258. 297.

tions in the mind of the king, who still cherished the hope of being able to give the law to his opponents, and with this view sought once more to interest the army in his quarrel. With his approbation, and under his signature, the form of a petition, to be subscribed by the officers, was forwarded to sir Jacob Astley, who acted in place of the earl of Holland, the commander-in-chief of the forces in Yorkshire. It stated the many and valuable concessions which the king had made to his people, adverted to the riotous assemblages which had lately attempted to control both the sovereign and the two houses, and prayed permission that the army might march to London for the purpose of protecting the royal person and the parliament. But the vigilance of the patriots detected, and their promptitude defeated, the project *. Soon, however, a new source of disquietude was opened. The king unexpectedly announced his intention of meeting in person the Scottish parliament on the 15th of July; a measure which offered an enigma of no easy solution either to his friends or foes in the two houses. The jealousy of the latter was again alarmed. They became less eager for the conclusion of the treaty with the covenanters: they daily interposed new difficulties: they brought forward other subjects for discussion. But Charles was not to be moved from his resolution: to accommodate them, he put off his departure for a fortnight, but refused to wait a day longer; and, having given his assent to the bill of pacification between the two kingdoms, hastily quitted London †; traversed, without stopping, the quarters of the English army in Yorkshire; accepted with apparent cheerfulness an in-

Aug.
10.

* See the examinations of Legge, Astley, Couiers, Hunks, Lucas, and O'Neil, in Husband's collection, and the Journals. Lords' Journals, 441. Commons' Journals, Nov. 17.

† Charles left a commission to give the royal assent to *certain* bills, when they should have passed the houses. The commons brought in a bill to extend the powers of the commissioners to *all* the bills which should pass. The lords, at their request, sat for this purpose on the Sunday, but they designedly raised so many objections, that it was not ready on the Monday morning, and Charles, refusing to wait any longer, began his journey Journals, iv. 294. 349—357.

visitation to dine with Leslie at Newcastle; and was received with honour by a deputation from the estates at his entrance into the capital of Scotland. The houses at Westminster continued to sit after his departure; but their measures were limited to the making of preparations for the disbandment of the army, the appointment of a committee from each house to sit during the adjournment, and the nomination of commissioners to attend on the king in Scotland, under the pretence of doing him honour, but in reality to watch his conduct, and to correspond with the committee in London. They then adjourned to the middle of October *.

Aug. 14. 30.

Charles was aware that in Scotland a reaction had long been working in the minds of moderate men, who, satisfied with the concessions already made by the sovereign, began to look with suspicion on the obstinacy and pretensions of the popular leaders. A party had some time before been secretly formed under the auspices of the earl of Montrose; and nineteen noblemen had been induced to subscribe a bond, by which they pledged themselves to oppose "the particular and indirect practices of a few, and to study all public ends which might tend to the safety of religion, laws, and liberties." The language of this instrument, whatever might be the views of its authors, was evidently in accord with that of the covenant: but the moment it came to the knowledge of the committee of estates, they pronounced it a breach of that clause which prohibited all attempts to divide the true worshippers of God; and Montrose and his friends, having disclaimed "all evil and divisive intentions," gave up the bond to be burnt†. By their submission they hoped to disarm the resentment of their enemies: but, still persisting in their design, they opened a correspondence with the king, and assured him of the victory over the covenanting leaders,

* Charles refused to sign the commission, though he consented to receive the commissioners. *Lords' Journ.* 382, 3.

† See the bond and subsequent declaration in Mr. Napier's "Montrose and the Covenanters," i. 325, 6.

- if he would only honour the parliament with his presence, confirm all his previous concessions, and judiciously withhold the distribution of honours and offices to the end of the session. Charles was persuaded : but it had long been his misfortune to be surrounded by men who abused his confidence. Advice of the interchange of messages was sent to the committee of estates ; and, by
 June 4. their order, Walter Stewart was seized near Haddington, the bearer of a letter from the king to Montrose, secreted in the pummel of his saddle. To correspond with the sovereign could not be a legal offence ; but the concealment of the letter offered ground of suspicion : other papers of a mysterious character were found on the messenger, and a few days later Montrose, the lord Napier, sir George Sterling, and sir Archibald Stewart, were, after a short examination, conducted with great
 11. parade through the capital, and committed prisoners to the castle *.

The intelligence, though most mortifying to the king, confirmed him in his design of visiting Scotland. He had now to save not only Traquaire and the other four, who, under the name of incendiaries, had been excepted from pardon, but also Montrose and the “banders and “plotters,” as they were called, whose lives were now placed in equal danger. Should he suffer these, as he had suffered Strafford, to be sacrificed to the vengeance of his enemies, where could he look for men who would afterwards devote their services to the cause of royalty ? With this resolution he met the Scottish parliament, though there was little to cheer his hopes in the previous conduct of the house. The submission presented by Traquaire, backed by the king’s most earnest recommendation in its favour, had been contemptuously rejected ; and numerous examinations had taken place preparatory to the trial of Montrose and his fellow-prisoners †. Charles sought to ingratiate himself by flattering their religious prepossessions. He appointed

* Ibid. 440—468.

† Balfour, iii. 3. 14. 24. 28. 30. 36.

Henderson his chaplain, listened with patience to the interminable sermons of the ministers, and attended assiduously at the service of the kirk. He hastened to confirm all the concessions which he had previously made; he consented, in all appointments of importance, to be guided by their advice; and he submitted for their approbation a list of forty-two counsellors, and of nine great officers of state. Here the struggle began: and ten days Sept. elapsed before the house would consent to the appointment of the lord Loudon to the office of chancellor *. 20. 30. The treasuryship came next, an office of great emolument, to which Argyle is said to have aspired. Charles named the lord Amond: but his recommendation, and the arguments of his friends, were useless. For twelve days the appointment was kept in suspense, till the attention of both parties was unexpectedly averted to a new subject, that occurrence which in Scottish history is known by the name of "the incident †." Oct. 11.

The reader is aware that the marquess of Hamilton had long been loved and trusted by the king: yet, whether it was his crime or his misfortune, he enjoyed not the confidence of the royalists, many of whom looked upon him as a hypocrite and a traitor. At the present day it must be difficult for us to judge; for his dilatory and temporising conduct may possibly have originated from the indecision of his character, from his wish to stand well in the estimation of each party, and his unwillingness to urge matters to extremities between the king and his subjects. Certain, however, it is, that no enterprise had succeeded under his management, and that his successive failures were attributed by men of

* Ibid. 58. 64. 6. 8. 72. 8. 85. After the king's arrival Montrose demanded a trial. It is plain that his opponents, though they had condemned and executed John Stewart for leasing-making, because he had falsely charged Argyle with having said that the king might be dethroned (Napier, i 475. Balfour, iii. 11. 17. 19.), could prove nothing against him: for, instead of a trial, they offered to accept his submission or accommodation. This he refused, and repeated his demand of a legal trial, which was put off to the end of the session. Balf. 49. 50, 1, 2.

† Ibid. 87, 88.

- more stirring zeal to a secret understanding between him and the covenanters. Long ago an offer to establish proof of his perfidy, "by the testimony of as good men as were to be found in Scotland," had been made to Strafford and Laud, who declined to listen to a charge which in the result might entail enmity and disgrace on themselves *. Hints of the same tendency had been often given to the king, on whose mind they began to make impression. One day, in parliament—at whose suggestion is unknown,—the young lord Kerr sent to the marquess by the earl of Crawford a challenge of treason. Hamilton appealed to the house: an act was passed in vindication of his loyalty; and the challenger was compelled to offer an apology, and make his submission †. About the same time, William Murray, the favourite groom of the bed-chamber ‡, obtained several interviews with Montrose in the castle, and brought from him messages to the king, of which the general object seems to have been to manifest the disloyalty of Argyle and the perfidy of Hamilton, and to advise the adoption of some spirited and decisive measure against both those noblemen. On the morning of Oct. 11th
11. Murray had brought a letter from Montrose: in the evening Hamilton, under the pretence of presenting a petition to the king, requested leave to withdraw into the country, and spoke, but in enigmatical and even discourteous terms, of the queen's prejudices against him, and of reports circulated to his dishonour. The follow-
 12. ing morning Charles found that the marquess, taking with him his brother Lanark and the earl of Argyle, had fled to his house of Kinneil during the night; that the cause of their departure was said to be the discovery of a plot on the part of the king to deprive the three noblemen of their liberty or their lives; and that the burghers of Edinburgh, in their alarm, had closed the

* Warwicke, *Memoirs*, 140.

† Balfour, 82. 86.

‡ He had been playmate and whipping-boy to the king in his younger days.

gates, and armed themselves for the protection of the parliament *. Hastening to the house, he complained in vehement language of the insult which had been offered to him by the sudden flight of the three lords, and insisted that an inquiry into the whole matter should be immediately instituted. His demand could not with decency be refused: but to his surprise he soon found a powerful opposition marshalled against him. The charge was public; he claimed a public investigation as his right: his opponents would consent to nothing more than a private inquiry before a committee. He debated the question with them during ten successive days. their obstinacy was not to be subdued: at length he yielded, and even submitted to the inspection of the committee the last letter which Murray had brought to him from Montrose. In it was an assurance that the earl could "acquaint his majesty with a bussines which Oct. 21.
 "not onlie did concerne his honour in a heigh degree,
 "bot the standing and falling of his croune lykwayes." On this passage Montrose was repeatedly examined, but persisted in returning the same answer, that by "business" he meant what, in his opinion, "concerned

* According to general report it was intended to send for the three lords to the king's bedchamber, where they should be apprehended by the earl of Crawford, and taken thence on board a ship in the Firth, or be put to death in case of resistance. This was to be done in the night-time. Baillie, i. 330. From documents still in existence, and the testimony of Clarendon, who had his information both from the king and Montrose, there can be little doubt that Murray had been the bearer of letters and messages between them both; that some resolution had been taken, or was on the point of being taken, against Hamilton and Argyle, and that such resolution, whatever it may have been, was revealed to the marquess by the perfidy of Murray. How far their liberty or their lives might be in danger we know not; but, after the failure of the recent attempt of lord Kerr to impeach Hamilton in parliament, I see no improbability in the supposition that violent counsels were suggested by Montrose, and also countenanced by Charles. Clarendon, in his original narrative (Hist. of Rebel ii. app. B. Oxford, 1826), says that he left it to the accusers to bring forward the charge at their own peril: but in a subsequent account, which was substituted for the first by his editors (Hist. i. 298. Oxford, 1720), he says that Montrose came privately by the introduction of Murray to the king, and offered to make proof of treason against Hamilton and Argyle, but rather desired to kill them both: a statement which it is difficult to believe, for Montrose was then a close prisoner in the castle under the custody of his enemies, without whose connivance he could not have visited the king at Holyrood house.

- “the peace and quiet of the public,” and that “he would never wrong, nor did he intend to accuse, any individual “whatsomever *.” The earl of Crawford, Murray, and others, were also arrested and interrogated, but nothing of moment was extracted from their incoherent and often discordant answers. Thus the time was spent to no purpose: the council at Westminster, in the most urgent terms, required the king’s presence in England, and Charles, after a long struggle, was compelled to forego the vindication of his character, and to consent to what was called “an accommodation,” the arrangement of which occupied a whole fortnight. By it a great portion of the bishops’ lands were distributed among his opponents: eight new names were substituted in his list of privy counsellors for eight to which objections had been made; the treasury was put into commission, with Argyle at the head; and that nobleman was created a marquess, and general Leslie raised to the rank of earl, with the title of Leven. On the other hand, to gratify the king, Hamilton declared in writing that nothing in that unhappy business, “the incident,” reflected on his majesty’s honour; and both the incendiaries and the plotters were discharged from prison, under the obligation of surrendering themselves to the committee of parliament in January, but with this understanding, that, if any trial took place, the judgment should still be reserved to the king†. Having thus extricated his friends from actual confinement and immediate danger, the king gave an entertainment to the estates, and the next morning departed for England.

That which had rendered Charles so impatient to be gone was the alarming intelligence which he had received from Dublin. The proceedings of the English

* Balfour, i. 134. Napier, 11. 95.

† For the incident consult Balfour, iii. 94—164. Hardwicke Papers, ii. 229. Evelyn’s Memoirs, ii. app. 525. 529., and Baillie, i. 330—2. The plotters were repeatedly examined by the committee in January and February, and the proceedings forwarded to Charles; but there the matter stopped, and no mention was afterwards made of it by either party.

parliament, and the success of the Scottish covenanters, had created a deep and general sensation in Ireland. Could that be blamable in Irishmen which was so meritorious in others? Had not they an equal claim to extort the redress of grievances, and to repel religious persecution? These questions were asked in every company; and, in reply, it was observed that new shackles had been forged for the national rights, new dangers prepared for the national faith; that the English parliament had advanced pretensions to legislate for Ireland, and that the leaders, both in England and Scotland, in all their speeches, publications, and remonstrances, displayed the most hostile feelings towards the catholic worship, and a fixed determination to abolish it, wherever their influence should extend. Why, then, should not Irishmen unite in their own defence? Why not assert their rights and establish their religion, while their enemies were occupied at home by the disputes which divided them and their sovereign*?

Among the gentlemen of Kildare was Roger Moore, of Ballynagh, of ancient descent, of insinuating manners, and considerable eloquence. He retained but a scanty portion of that ample domain which had once been the patrimony of his ancestors, but was now parcelled out among English planters; and the hope of recovering that which he believed to have been unjustly torn from his possession, led him into different parts of Ireland, where he exhorted the natives to take up arms, and to vindicate their own rights. He had sounded the disposition of the lords of the pale, and from them he proceeded to excite the more inflammable passions of the ancient Irish.

* Nalson, 543. Borlase, App. 128. "The Irish," says Laud, "pretended the Scots example, and hoped they should get their liberties and the freedom of their religion as well as they." Laud's Troubles, 184. "They demand," says the earl of Clanricarde, "why it might not be more lawful, and much more pardonable, to enter into a covenant for the preservation of their religion, your majesty's rights and prerogatives, and the just liberties of the subject, than for others to enter into one that hath been an occasion to lessen and impair your majesty's lawful power and interests." Clanricarde, p. 61.

Though the two races were intermixed by marriages, though they professed, in opposition to the law, the same religion, there still remained a marked difference in their habits and feelings, which prevented any cordial co-operation between them. The ancient Irish had suffered more grievous wrongs from the English government by the transfer of their property to foreign planters; the modern, though they complained of fines and inquisitions, had hitherto been treated with greater indulgence. The former longed for the restoration of the catholic church in its ancient splendour: the latter, who had obtained their share of ecclesiastical plunder, felt no desire of a revolution which might compel them to restore their late acquisitions. The one had always been in the habit of seeking the protection of foreign princes, the other had constantly adhered to the sovereign, even in wars against their countrymen of the same religion*. Hence the Irish chieftains of Ulster, particularly Cornelius Macguire, baron of Inniskillen, and sir Phelim O'Neil, who, after the death of the son of Tyrone, became chieftain of that powerful sept, listened with pleasure to the suggestions of Moore. It was agreed among them to consult their countrymen abroad, and to prepare for a rising in the following autumn†.

The gentlemen of the pale adopted a very different plan. By their influence in the two houses they persuaded the Irish to imitate the conduct of the English parliament. Inquiries were instituted into the abuses of government, and commissioners were sent to London to demand from the justice of Charles those graces, the purchase-money of which he had received thirteen years before. It was plainly his interest to conciliate his Irish subjects. He gave them a most flattering reception, bestowed particular marks of attention on lord Gormans-town, the head of the deputation, and bade them hope for full redress from his equity and affection. But he

* Rinnucini's Manuscript Narrative, in initio.

† Nalson, 544. 555. Carte, iii. 30. Clarendon Papers, ii. 69. 80. 134.

had a more important object in view. Strafford had frequently assured him of the devotion and efficiency of the 8000 men lately raised in Ireland; and Charles, as he foresaw that the quarrel between him and his opponents would ultimately be decided by the sword, had sent private instructions to the earls of Ormond and Antrim to secure them for his service, to augment their number under different pretexts, and to surprise the castle of Dublin, where they would find arms for 12,000 men. But it was well known that these levies consisted principally of catholics, a circumstance sufficient to provoke the jealousy of the English parliament. The April houses petitioned that they should be immediately dis- 28.
banded. Charles hesitated: they renewed their petition; he acquiesced; but with an order to that effect trans- May
mitted a secret message to the two earls, to prevent by 7.
some expedient or other the dispersion of the men, which was followed by commissions to several officers to enlist at first one half, afterwards the whole number, for the service of Spain*.

Charles, on the eve of his departure for Scotland, had granted the chief requests of the Irish deputation, and signed two bills to be passed into laws, one confirming the possession of all lands which had been held without interruption for sixty years, and another renouncing all claims, on the part of the crown, founded on the inquisitions held under the earl of Strafford. Gormanstown and his colleagues acquainted their countrymen with their success, and hastened in triumph to Dublin. But the lords justices Borlase and Parsons were less the ministers of the king than the associates of his opponents. Aware that the passing of these bills would attach the whole population of Ireland to the royal interest, they disappointed the hopes of the deputies by

* See Antrim's information in the Appendix to Clarendon's History of the Irish Rebellion. Lords' Journals, 229. 339. 345. Carte's Ormond, i. 132. iii. 31. 33.

Aug. proroguing the parliament a few days before their arrival *.

Whether Ormond attempted to execute the royal orders is uncertain. Antrim kept his instructions secret, and endeavoured to feel his way through the agency of the officers commissioned to raise soldiers for the Spanish service. These, by their intrigues with the members of the parliament, discovered among them men to whom they might safely reveal the real secret of their mission; that they had come not to take away, but to detain the Irish army in the island. Its services were required by the sovereign. He had received many wrongs from his subjects in England and Scotland; it remained for Irishmen to display their attachment to his person, and, by rallying in defence of the throne, to prevent the extirpation of their religion. From the catholics of the pale they turned to the chieftains of Ulster, whose previous determination to unsheath the sword rendered such exhortations unnecessary. To them the intelligence was a subject of triumph; they approved the design of surprising the castle of Dublin, and promised not only to co-operate in the attempt, but to attack on the same day most of the English garrisons in the northern counties.

After much private consultation it was determined by Antrim and his confidential friends to postpone the rising to the first day of the meeting of parliament in the month of November, to secure at the same moment the castle and the persons of the lords justices, and to issue a declaration in the name of the two houses, that the Irish people would support the sovereign in the possession of all the legal rights of the throne. But procrastination accorded not with the more sanguine temper of the ancient Irish, whose impatience was stimulated by the exhortations of Moore, and who persuaded themselves that, if they only began, the pale would follow

* Carle's Ormond, iii. 139, 140. Temple, 15. Borlase, 17. Journals of Irish Com. 210. 539. Castlehaven's Memoirs, 40.

their example. It had been previously understood that the combined attempt should be made on the 5th of ^{Sept.} October; they now determined to make it themselves on ^{26.} the 23rd. On the morning of the 22nd several of the leaders repaired to Dublin. but many were wanting; and of 200 trusty men appointed to surprise the castle, eighty only appeared. They resolved to wait till the ^{Oct.} next afternoon for the arrival of their associates; and ^{23.} during the night the plot was betrayed by Owen O'Conolly to sir William Parsons. Though the gates of the city were instantly closed, the chief of the conspirators, with the exception of lord Macguire and Macmahon, made their escape *.

Their associates in Ulster, ignorant of the discovery of the plot, rose on the appointed day. Charlemont and Dungannon were surprised by sir Phelim O'Neil at the head of his sept; Mountjoy by O'Quin, Tanderage by O'Hanlan, and Newry by Macginnis. In the course of the week all the open country in Tyrone, Monaghan, Longford, Leitrim, Fermanagh, Cavan, Donegal, Derry, and part of Down, was in their possession. The natives of the other planted counties soon followed the example; and by degrees the spirit of insubordination and revolt insinuated itself into the most loyal and peaceable districts. Still the insurgents were no more than tumultuary bodies of robbers, for the most part unarmed, who rose in a mass, plundered some neighbouring plantation, and returned home to the division of the spoil. Whenever they were met by men in arms, they shrunk from the contest, or paid dearly for their temerity. No quarter was given by their enemies; and sir Phelim O'Neil suffered during the month of November several severe losses †.

* See, for most of these particulars, Macguire's relation in Borlase. App. 9. and Nalson, 543—555. He may perhaps conceal some things, but I have no doubt of his accuracy as far as he goes. What he relates respecting the intrigues of the officers strongly confirms the information of lord Antrim. Consult also the letter of the lords justices, and Conuolly's testimony in the Lords' Journals, 412—416.

† See the letters in Carte's Ormond, iii. 38, 39, 40. 44. "The like war

Whether it was that the lords justices felt themselves unequal to the station which they held, or that they allowed the insurrection to grow for the sake of the forfeitures which must follow its suppression, their conduct displayed no energy against the rebels, and little commiseration for the sufferings of the loyalists. They despatched information to the king and the lord lieutenant, fortified the city of Dublin, and, secure within its walls, awaited the arrival of succours from England. In the mean time the open country was abandoned to the mercy of the insurgents, who, mindful of their own wrongs and those of their fathers, burst into the English plantations, seized the arms and the property of the inhabitants, and restored the lands to the former proprietors or to their descendants. The fugitives with their families sought in crowds an asylum in the nearest garrisons, where they languished under that accumulation of miseries which such a state of sudden destitution must invariably produce*.

In defence of their proceedings the rebel chieftains published a declaration, that they had taken up arms in support of the royal prerogative, and for the safety of their religion, against the machinations of a party in the English parliament, which had invaded the rights of the crown, intercepted the graces granted by the king to his Irish subjects, and solicited subscriptions in Ireland to a petition for the total extirpation of the protestant episcopacy and of the catholic worship. At the same

"was never heard of. No man makes head; one parish robs another, go home and share the goods, and there is an end of it; and this by a company of naked rogues." *Ibid.* 47. Also, *Clanricarde's Memoirs*, 6. 35, 36. 38.

* "The planted country of Leitrim are all in combustion, and have taken all the towns but three strong places. They have set up O'Bourke, being formerly O'Bourke's country." *Clanricarde*, 17. "There being no nobleman of the kingdom in action, nor any gentleman of quality of English extraction, and many of the ancient Irish still firm, yet such is the strange distrust and jealousy of this time, and the dilatory proceedings thereupon, that we are all like to be destroyed by loose desperate people, having not any manner of defence allowed us, and many possess with such panic fears that strong places are quitted without any resistance." p. 29. See Note (A) at the end of the volume.

time, to animate and multiply their adherents, they exhibited a forged commission from the king, authorizing them to have recourse to arms, and a letter from Scotland, announcing the speedy arrival of an army of covenanters, with the Bible in one hand and the sword in the other, to proselytise or destroy the idolatrous papists of Ireland *.

Charles, having communicated this intelligence to the Scottish parliament, and appointed the earl of Ormond commander of the forces in Ireland, repaired to England. The severity of the punishments lately inflicted by parliament on delinquents, punishments scarcely less reprehensible than those of the star-chamber which they had put down, and their neglect to repay the money which they had borrowed of the citizens, had caused a powerful reaction in his favour in the capital. On his entry he was met by the lord mayor, the sheriffs, and the principal citizens in procession ; and, having dined in public in the Guildhall, was hailed, as he retired to his palace, with the loud congratulations of the spectators. This burst of loyalty taught him to Nov. 25. augur well of the attachment of his subjects, and to bear with greater fortitude the new mortifications which had been prepared for him by his opponents in parliament. They had of late observed an alarming defection from the number of their supporters, and saw that moderate men, satisfied with the sacrifices already made by the king, began to deprecate any further encroachment on the royal authority. On the other hand, the incident

* Nalson, ii. 555 557. The pretended commission is in Rushworth, iv. 400. Its authenticity has been denied by the friends, and affirmed by the enemies, of Charles. I have no hesitation in pronouncing it a forgery. It was never appealed to by the rebels in any of their remonstrances, or apologies, and contained clauses which never could have been authorized by the king ; as, for example, a warrant to the catholics to arrest and seize the goods, estates, and persons of all English protestants.—I may add here that the king's absence in Scotland afforded to the popular leaders an opportunity of encroaching on the royal prerogative. The houses, as if they were now independent, issued orders on matters on which they ought to have proceeded by petition : and into these orders they soon introduced the word *ordain*, calling them ordinances, and thus furnishing precedents for the subsequent enactment of laws without the royal assent. The first ordinance was for the appointment of commissioners to the king in Scotland, Aug. 20. L. J. 372.

in Scotland, the secret advices from their commissioners in that kingdom, and the knowledge that Charles had acquired information respecting their clandestine practices with the invading army, convinced them that they had gone too far to expect forgiveness, and that additional security was necessary to preserve them from the vengeance of the offended monarch. To create a strong sensation, and prepare the public mind for their next demands, they resolved to present to the king a remonstrance on the state of the nation. It commenced by asserting the existence of a coalition of jesuited papists, bishops, corrupt clergymen, and interested courtiers, whose common object it was to subvert the liberties of England; then followed a long enumeration of every real or imaginary grievance which had excited complaint since the death of James; to this succeeded a catalogue of the several remedies which had been already provided, or were yet contemplated, by the wisdom of parliament, and the whole concluded with a complaint that the efforts of the commons were generally rendered fruitless by the intrigues of the malignant faction which surrounded the throne, and the combination of the popish lords with ill-affected bishops, who formed so powerful a party in the upper house. This remonstrance met with the most spirited opposition; nor was it carried till after a debate of twelve hours, and then by a majority of eleven voices only. But the patriots were careful to pursue their victory. An order was made that it should be presented to the king on his return, and another that it should be printed for the edification of the people.

Dec. 1. Charles, though offended, was not surprised at the asperity of its language, or the groundlessness of its assumptions; but he felt the publication as an insult of a new order, an appeal from the equity of the sovereign to the passions of the subject, and he declared, in a temperate but eloquent answer from the pen of Hyde, that he had never refused the royal assent to any one bill presented to him for the redress of grievances; and that, as he had secured for the present, so he would

maintain for the future, the just rights of all his subjects. Evil counsellors he had no wish to protect; but the choice of his ministers was a right that he would not resign. If there were persons who desired to lessen his reputation and authority, and to introduce the evils of anarchy and confusion, he trusted in God with the help of his parliament to confound their designs, and to bring them to punishment*.

The rebellion in Ireland had furnished the zealots with a plausible pretext for indulging in invectives, and displaying their animosity against the professors of the ancient worship†. In August commissioners had been appointed to disarm the recusants in every part of the kingdom: now the commons denounced to the peers seventy catholic lords and gentlemen as dangerous persons, who ought to be confined in close custody for the safety of the state. The queen's confessor was sent to the Tower, and the establishment for the service of her chapel dissolved: pursuivants were appointed by the authority of the lower house, with the powers to apprehend priests and jesuits; orders were issued for the immediate trial of all such prisoners; the king was importuned not to grant them pardons or reprieves‡; and a resolution was passed by both houses never to consent to the toleration of the catholic worship in Ireland or in any other part of his majesty's dominions§. Charles gently chided their violence; they were making the war in Ireland a war of religion; let them rather provide supplies of men and money for the protection of the royalists and the defence of his crown. But to this

* Rushworth, iv. 436. 452. Journals, Nov. 22. Dec. 2, 3. Clarendon, i. 310—335, 336.

† On the credit of Beale, a tailor, who pretended to have heard some unknown persons conversing behind a hedge, the commons gravely affected to believe that more than a hundred members were marked out as victims to be slain by popish assassins. Journals, Dec. 16, 17. 26, 27. Evelyn's Memoirs, ii. App. 73.

‡ If the reader wishes to see the pertinacity with which they sought the death of seven catholic priests, he may consult the Journals, Dec. 8. 11. 13. 14, 15. 31. Mar. 21. Ap. 9. Lords' Journals, 472. 476. 479, 501.

§ Journals, 473. 476. 490. Commons, Dec. 8. Rushworth, iv. 445.

- there was an insurmountable obstacle. The country party had determined to possess themselves of the command of the army, and the king was resolved not to part with that which now seemed the last support of his throne. Before his arrival the houses had appointed a
- Nov. 6. council of war, had passed an ordinance authorizing the earl of Leicester to raise men for the service in Ireland, and had given their approbation to the officers whom he
- Dec. 3. proposed to employ. To hasten the levy the commons passed a bill for the pressing of soldiers: and at the same time complained in a conference of the slowness of the proceedings in the other house. They argued that the lords were only private individuals, while the commons were the representatives of the nation; and declared that, if the former refused to pass the bills which were necessary for the public safety, they, taking with them such peers as did not shrink from the performance of their duty, would represent the matter to the sovereign. This menace made little impression: the lords objected to the declaratory clause, which denied to the king a right enjoyed by all his predecessors: but Charles
14. unadvisedly interfered, and assured the houses that he would pass the bill, if a proviso were added saving his claim and the liberties of his people. Had the proposal come as an amendment from one of the ministers, no objection could have been made; but the personal interference of the sovereign during the progress of a bill, was undoubtedly informal, and both houses remonstrated against it as an infringement of the privileges of parliament*.

I should only fatigue the patience of the reader, were I to detail the minor causes of dissension which sprung up in quick succession between the king and his opponents, or to inquire who were the original aggressors in the quarrels which daily occurred between their respective partisans. Mobs of armed men paraded the streets, for

* Commons' Journals, Dec. 3. 16. Lords' Journals, 476. Clarendon, ii 325.

the avowed purpose of protecting the parliament, and many officers and gentlemen spontaneously assembled at Whitehall, to defend the king and the royal family from insult. The two parties frequently came into contact with each other; and, though no lives were lost, the most irritating language, and sometimes blows, were exchanged*.

The remonstrance had pointed the fury of the populace against the bishops, who, on one occasion, were so alarmed by the cries which they heard in the palace-yard, that they shut themselves up in the house, till the darkness of the night enabled them to steal away to their respective homes. The next day Williams, who had made his peace with the king, and had been preferred to the archbishopric of York, prevailed on eleven other prelates to join with him in a declaration, which was delivered by the lord keeper to the upper house. It stated that the bishops could no longer, without danger to their lives, attend their duty in parliament, and that they therefore protested against the validity of any votes or resolutions of the house during their absence. This extraordinary announcement was heard with surprise and indignation. To retire or to remain was at their option; but to claim the power of suspending by their absence the proceedings of parliament, was deemed by their adversaries an assumption of sovereign authority. The commons, after a debate with closed doors, impeached the twelve prelates of high treason. The charge of itself was ridiculous, and Williams boldly professed his readiness to meet it; but the others, intimidated by the violence of the times, apologized for their conduct. Ten were committed to the Tower; two, the bishops of Durham and Lichfield, on account of their age and infirmity, to the usher of the black rod †.

* Rushworth, iv. 463. Clarendon, i. 356. 371, 372. Warwick, 186.

† Lords' Journals, 496—499. Commons' Journals, Dec. 30. Rushworth, iv. 466. Clarendon, i. 350. Thirteen bishops had been already (Aug. 13) impeached of high crimes and misdemeanors, on account of the canons framed in the last convocation (Lords' Journals, 363); but as

Before the surprise excited by this unexpected event had worn away, the public mind was agitated by another and still more extraordinary proceeding. Some hints had been dropped by the patriots of an impeachment of the queen: the information, probably through design, was conveyed to Charles;* and he, irritated and alarmed, hastily adopted the following bold but hazardous expedient.

1642. On the fourth day after the committal of the prelates
 Jan. the attorney-general appeared at the bar of the house of
 3. lords, and in the name of the king impeached of high treason the lord Kimbolton, Holles, Haslerig, Pym, Hampden, and Stroud, all distinguished members of the country party. He charged them with having conspired to alienate from the king the affections of his people, to excite disobedience in the army, to subvert the rights of parliament, and to extort the consent of the majority by the influence of mobs and terror; and with having moreover invited a foreign force into the kingdom, and actually levied war against the sovereign†. It was expected that the lords would pay that deference to the king which they had so lately paid to the commons, and would order the members impeached, as they had ordered the prelates, to be taken into custody. But the house appointed a committee to search for precedents; and Charles, indignant at the delay, sent a serjeant-at-arms to the commons to demand the persons of the five members. They returned for answer, that it was a matter

they were admitted to bail, they still retained their seats. Those who were impeached for the protest were the prelates of York, Durham, Norwich, Gloucester, Lichfield, St. Asaph, Bath and Wells, Oxford, Hereford, Ely, Peterborough, and Llandaff. By committing them the country party deprived their opponents of twelve votes.

* Clarendon, i. 418.

† By the late treaty with the Scots, Charles had stipulated that an act of oblivion should be passed in parliament, "burying in forgetfulness all "acts of hostility between the king and his subjects, which might arise "from the coming of the Scottish army into England, or any attempt, "assistance, counsel, or advice, having relation thereunto." (Kushworth, iv. 370.) After the ratification of this treaty, though the act of oblivion had not passed, I see not how the king could in honour impeach the six members on the subject of their previous intrigues with the Scots.

which required serious deliberation, but that the individuals accused should be forthcoming to answer every legal charge*.

The next day the king himself, attended by his guards, Jan. 4. and a number of officers with their swords, proceeded to the house of commons. His purpose was to arrest the accused members; but his secret had been betrayed, and the objects of his search had already left the house. The king, having stationed his attendants at the door, entered with his nephew Charles by his side. Having taken the chair, he looked around him, and, not seeing the persons whom he sought, inquired of the speaker if they were present†. Lenthal, falling on his knees, replied that he was merely the organ of the house, and that he had neither ears to hear, nor tongue to speak, but as he was directed by it. The king seating himself said, that in cases of treason there was no privilege; that it was not his intention to offer violence, but to proceed against the accused by due course of law; that, if the birds had not flown, he would have taken them himself; as the case was, he expected from the loyalty of the house that they would send them to him, or he should have recourse to other expedients. He was heard in silence, and retired amidst low but distinct murmurs of "privilege, privilege‡."

* Journals of Lords, 500—503. Of Commons, Jan. 3. Rushworth, iv. 473—477. Clarendon attributes this bold but unfortunate proceeding to the advice of lord Digby, who, by supporting the bishops and Strafford, had become so odious in the house of commons, that he had been called up to the lords. Clarendon Papers, iii. Supplement, iv. Hist. 359.

† "His design was betrayed by that busy stateswoman the countess of Carlisle, who had now changed her gallant from Strafford to Pym, and "was become such a she saint, that she frequented their sermons, and "took notes." Warwick, 204. But the French ambassador claims the merit for himself; "J'avois prevenu mes amis, et ils s'étoient mis en sûreté." Mazure, iii. 429.

‡ Commons' Journals, Jan. 4. Rushworth, iv. 477. Whitelock, 52, 53. Each of the five members made a short speech in his own defence; but they appear to have evaded the charge of inviting a foreign enemy into the kingdom, by supposing that it alluded to the vote by which the commons requested the aid of the Scots to put down the Irish rebellion. The speeches are in Somers' Tracts, iv. 330—340, where, by mistake, that which belongs to Holles is attributed to Kimbolton, who was a member of the upper house.

This unadvised and abortive attempt completed the degradation of the unfortunate monarch. It was equally condemned by his friends and enemies; and it furnished the latter with the means of working on the passions of their adherents, and of exciting them to a state bordering upon frenzy. The commons adjourned for a week; but during this recess a permanent committee sat in the city to concert matters with their partisans, and to arrange a new triumph over the fallen authority of the sovereign. On the appointed day the five accused members proceeded by water to the house. They were escorted by 2000 armed mariners in boats, and by detachments of the train-bands with eight pieces of cannon on each bank of the river; and were received on landing by 4,000 horsemen from Buckinghamshire, who had come to assert the innocence, and to demand justice for the libel on the character, of Hampden, their representative. The air resounded with shouts of joy and with military music; and, as the procession passed by Whitehall, the populace indulged in the most unseemly vociferations against the misguided monarch. But Charles was no longer there. Distrusting the object, and aware of the power, of his opponents, he had on the preceding evening fled with his family to Hampton court*.

It now became evident that the hope of a reconciliation was at an end. Both parties resolved to stake the issue of the contest on the sword; and, if they hesitated to declare themselves openly, it was that they might make preparations, and obtain an opportunity of throwing the blame of hostilities on each other. In the meantime their most secret counsels were reciprocally betrayed. The king had many devoted servants in the house of commons. Lord Falkland and sir John Colepepper, who had accepted official situations, the latter that of chancellor of the exchequer *for life*, gave him every information in their power; and Hyde, while he cautiously

* Rushworth, iv. 480—484. Nalson, ii. 823. 829. Whitelock, 54. Clarendon, i. 380

disguised his attachment from his colleagues, repaired to the king in the night, acquainted him with what passed in the several committees, and supplied him with answers to the messages and declarations of his opponents, even before they were regularly submitted to the sanction of the house*.

On the other hand the patriots had spies or associates in the court, and the council, and even in the closet of the king. His most secret designs were immediately known and prevented. Hence, to his surprise, a guard was established round the Tower to prepare against the danger of a surprisal. Goring, the governor of Portsmouth, received instructions to obey no order which was not communicated through the two houses; the earl of Newcastle, sent by Charles on a secret mission to Hull, was commanded to attend his duty as a peer, and sir John Hotham, with his son, hastened to secure that important place for the parliament; and when it was known that the gentlemen who, as volunteers, had escorted the king to Hampton court, under the command of colonel Lunsford, had received a message from him the next morning by the lord Digby, orders were issued to the sheriffs to disperse all assemblies of armed men Jan. in their respective counties; a committee of public 14. safety was appointed, and Digby and Lunsford were impeached of high treason †.

Aware that, by his irregular entrance into the house of commons, he had given the vantage-ground to his adversaries, Charles attempted to retrace his steps by apologizing for his conduct, by promising to proceed against the five members by due course of law, by aban-

* Clarendon's Life, 46. 58. The papers were transmitted from Hyde to the king by gentlemen who offered their services, and who, when he was at York, sometimes performed the journey and brought back the answer in the short space of thirty-four hours. To prevent the possibility of detection, the king copied with his own hand all the papers sent by Hyde, and burnt the originals. Ibid 55. 59.

† Husband, 202. Whitelock, 54. Clarendon, i. 384. 388. 418. His Life, 57. Clarendon Papers, iii. App. liv. Rushworth, 495, 496. 565. Nalson, ii. 845. 863.

Jan. doning the prosecution altogether, and proposing that
 13. they should accept a general pardon. But these concessions, instead of mollifying, strengthened their obstinacy. They rejected every offer, and insisted that, to atone for so flagrant a breach of privilege, he should deliver up the names of his advisers. He scorned to return an answer*.

To probe, however, the sincerity of their declarations,
 20. he made to them a request that they should lay before him, in one view, a summary of all the enactments which they required, respecting his authority and revenue, their own privileges, the rights of the people, and the reformation of the church, with a promise that his answer should prove him one of the most easy and benevolent of monarchs. To such a proposal it would have been impolitic to return a direct refusal. But they grasped at the opportunity to effect what they had long sought, and what they had previously demanded as "a ground of confidence," that the government of the forts, and the command of the army and navy, should be intrusted to officers nominated by the two houses of parliament. The king was startled by this answer. To assent to it was to deprive himself of a power essential to royalty, and to throw himself without resource at the feet of his enemies. He resolved to refuse: but his repugnance was gradually removed by some of his advisers, who maintained that whatever was "radically bad could not be healed by the royal assent;" that, as a commission under the great seal was of no effect if it were contrary to law, so an act of parliament had no power to bind, when it was subversive of the ancient constitution of the realm. This reasoning was specious; it relieved the king from his present difficulties, by authorizing him to resume at pleasure what he should now
 Feb. 14. concede through necessity; and he not only passed the two objectionable bills for pressing soldiers, and depriving the bishops of their seats and of all temporal employ-

ments*, but offered to submit all disputes respecting the liturgy to the consideration of parliament; promised never to grant a pardon to a catholic priest without the previous consent of the two houses; requested to know the names of the persons who might be trusted with Feb. commands in the army, approved of the list, and only 28. required, 1°. that their appointment should be limited to a certain time; and, 2°. that the extraordinary powers to be excised by them should previously be conferred by statute on himself, that they might receive them through him. But his opponents began to distrust the facility with which he now assented to their demands; they voted that his last proposal was in reality a denial; that those who advised it were enemies to the state, and should be brought to condign punishment; and that a speedy remedy ought to be provided by the wisdom of parliament. In a few days an ordinance was prepared, Mar. appointing by the authority of the two houses fifty-five 5. lords and commoners lieutenants of different districts, with power to nominate deputies and officers, and to suppress insurrections, rebellions, and invasions†. A long succession of declarations and answers served to occupy the attention of the public during several months. But in this war of words, these appeals of the contending

* Clarendon, i. 428—430. Colepepper was of opinion that the king might safely reject the bill for the pressing of soldiers, if he would give his assent to that respecting the bishops. But Charles refused. He then went to the queen, brought her over to his opinion, and assured her of the popular favour if she were known to promote the bill. With her aid he overcame the reluctance of the king. Such, at least, is the story told by Clarendon in the history of his own life (p. 50, 51). But I doubt its accuracy. He seems to have forgotten that Charles assented to both bills at the same time. He was then at Canterbury, accompanying the queen on her way to Holland; a circumstance which probably gave birth to the story.

† Rushworth, iv. 516—528. Journals, iv. 625. When it was objected that by this ordinance the two houses assumed the power which constitutionally belonged to the sovereign, the oath of allegiance was read in the house of lords, and a vote passed, that there was nothing in the ordinance incompatible with the obligations of that oath. Sixteen peers entered their protests. Ibid. 267. The pretence appears to have been that, in cases of extreme danger, it is the duty of parliament to preserve the nation and the sovereign in defiance of the sovereign, and the duty of the people to obey the ordinances of the two houses, as much as to obey in ordinary times statutes enacted in the usual way. See Journ. vi. 134.

parties to the good sense of the people, the king had plainly the advantage over his adversaries. Abandoning the lofty pretensions of his predecessors—though he did not abandon them without a sigh—he claimed nothing more than the admitted rights of a constitutional monarch: whilst they, shrinking from the open avowal of their real objects, sought to justify themselves by maintaining that there existed a design to bring in popery, that the sovereign was governed by a popish council, and that the papists were about to rise in England, as their brethren had done in Ireland; allegations calculated, indeed, to operate on the minds of the ignorant and the prejudiced, but which, from frequency of repetition without the semblance of proof, began to be looked upon by thinking men as false and chimerical*.

But the real object of Charles was, like that of his opponents, to prepare for war. He had in February sent his queen to Holland, under the pretence of conducting his daughter Mary to her husband, the prince of Orange, but for the purpose of soliciting aid from foreign powers, of raising money on the valuable jewels which she had carried with her, and of purchasing arms and ammunition†. In the mean time he gradually withdrew himself from the vicinity of the metropolis, first to Newmarket, then into the more northern counties, and at last fixed his residence in York. A body guard was raised for him by the neighbouring gentlemen, to form
 Mar. 24. in due time the nucleus of a more numerous army.

Leaving the king at York, the reader may now revert to the transactions in Ireland. Whatever projects might have been entertained by the lords of the pale, to whom

* See them in Rushworth, iv. 528—552. Of the reports respecting the influence of the papists, secretary Nicholas writes thus to the king: "ye alarme of popishe plots amuse and fright the people here more then any thing, and therefore that is ye drum that is so frequently beaten upon all occasions." Oct. 27. Evelyn's Memoirs, ii. App. 46. See also the king's speeches, in his "Workes," 20. 22. 31. 37.

† D'Orleans, *Revolutions d'Angleterre*, 91. Clarendon, i. 419. See an interesting letter from the queen during her stay at the Hague, in note (B).

Antrim had communicated his commission from the sovereign, they had been defeated by the premature insurrection of the Irish in Ulster. The castle of Dublin was secured from danger by the vigilance of its governor, sir Francis Willoughby. The parliament assembled on the appointed day, but found itself controlled by a garrison of 4000 men; and another adjournment, by order of the justices, prevented it from interfering with the administration of government. The lords and gentry of English descent made a tender of their advice and support. Both were unceremoniously refused; even the arms which they had obtained for their own defence were redemanded, and an order from the council compelled them to leave the capital, and to repair to their houses in the country. This distrust, though the leaders must have known that it was not unfounded, provoked dissatisfaction, which was considerably irritated by the successive proclamations of the government, and by military incursions attended with pillage and bloodshed, which were occasionally made into the districts in the vicinity of Dublin*.

For six weeks the insurrection had been confined to the ancient Irish. In the beginning of December the lord Gormanstown issued, in quality of governor of Meath, a warrant for a general meeting of the county on the hill of Crofty. It was attended by the lords Fingal, Slany, Netterville, Trimblestone, and Lowth, fourteen gentlemen, and a thousand freeholders. After some time, Moore, O'Reily, Byrne, and other leaders of the insurgents, appeared with a guard of musketeers. To the questions put by Gormanstown they replied that they had taken up arms to procure freedom of conscience, to maintain the just prerogatives of the crown and to obtain for the people of Ireland the same privileges which were enjoyed by the people of England. Of

* Carte's Ormond, i. 244—247. Carte, iii. 49. 52. Clanricarde, 67. "Since the distemper began, they (the lord justices) have so disposed of affairs, as if the design were laid to put the whole kingdom in rebellion." Clanricarde to the duke of Richmond. *Memoirs*, 63.

these objects the meeting approved. A national association for the purpose of effecting them was formed, and the members, in imitation of the Scottish covenanters, bound themselves by a common oath to maintain the free and public exercise of the catholic worship, to bear true faith and allegiance to king Charles, and to defend him against all who should endeavour to subvert the royal prerogative, the power of parliament, or the just rights of the subject. The example once given determined those who had hitherto wavered; and the whole people of Ireland, with the exception of those who inhabited the fortresses in possession of English garrisons, and of Galway, which was retained in obedience by the earl of Clanricarde, agreed to draw the sword against the common enemies of their king, of their rights, and of their religion*.

In vindication of their conduct they alleged, 1°. That in hatred to their religion they were subjected to numerous restraints, and excluded from offices under government, while persons of low birth and needy circumstances rose to the highest honours in the state without any merit of their own, but because they were protestants and Englishmen. 2°. That the "graces" which they had purchased at an enormous expense were still withheld from them by two successive prorogations of parliament,—a proof that it was the design of their enemies to deprive them of their property under the pretext of defective titles. 3°. That the parliament of England had usurped the authority of the parliament of Ireland, and maintained that the latter country was bound by the orders and resolutions of the English houses, whenever it was expressly named. 4°. That the men who took the lead in England had avowed themselves the implacable enemies of the catholic religion, had sworn to extirpate it, had enforced the penal code against the catholics of England, and meant, in consequence of their new pretensions, to enforce it also in Ireland. On these ac-

* Temple, 19, 20. Carte, iii. 49. Rushworth, iv. 415. Nalson, ii. 907.

counts they resolved never to lay down their arms till they had obtained an acknowledgment of the independence of the Irish on the English parliament, the repeal of all degrading disqualifications on the ground of religion, the free exercise of the catholic worship, the confirmation of the graces, and the exclusion of all but natives from civil and military offices within the kingdom. The Scots, they added in a petition to the king, whose grievances were certainly less numerous, and whose church had been less persecuted, had appealed to the sword in defence of their religion and liberties; and their conduct had been ultimately approved both by him and the parliament of England: whence they inferred that what was commendable in Scotsmen could not, by impartial judges, be considered as blamable in Irishmen*.

By degrees the war in Ulster had assumed the most ferocious appearance. The natives, looking on the planters as intruders and robbers, had stripped them of their property, had chased them from their homes, and in some instances had taken their lives. On the other hand, the military, acting by the orders of the council, executed, where they had the power, martial law on the insurgents, laying waste the country, and slaying the fugitives without distinction or mercy†. One act of violence was constantly retaliated by another; the thirst for revenge was reciprocally excited and gratified; and men on both sides learned to indulge in murder without remorse, even with feelings of triumph. It has been usual for writers to present to their readers only one half of the picture, to paint the atrocities of the natives,

* Rushworth, iv. 411. 414. Carte, iii. 47, 48. 50. 55. 99. 110. 136. Clanciarde, 70. Borlase, App. 46. "Your majesty would make no worse construction of us for what we have done than our loyalties and affections to your majesty do deserve, and no worse than your majesty hath made of others of your subjects, who upon less or the same occasions have done the like." p. 47.

† Carte, iii. 61. 62. 68. Cox, App. viii. I observe that in Ulster, as early as October 27th, the English garrisons began to plunder the lands of the Irish in that province. Carte, i. 185, 196.

and to conceal those of their opponents: but barbarities too revolting to stain these pages are equally recorded of both; and, if among the one there were monsters who thirsted for the blood of their victims, there were among the others those who had long been accustomed to deem the life of a mere Irishman beneath their notice. Nor is it easy for the impartial historian, in this conflict of passion and prejudice, amidst exaggerated statements, bold recriminations, and treacherous authorities, to strike the balance, and allot to each the due share of inhumanity and bloodshed. If the Irishman must blush when he hears of a hundred captives driven at the point of the pike into a deep and rapid river; the Englishman will read with a sigh the orders issued by the lords of the council to the army, not only to burn to the ground every house, but to put to the sword every male inhabitant capable of bearing arms, in those districts in which the rebels had been received during the progress of their march*.

The lords justices had expected prompt and abundant aid from England. To their disappointment it was only on the last day of the year that a single regiment arrived; and five months elapsed before they had received a re-inforcement of 5000 men. The Scots, indeed, offered to send twice that number; but national jealousy interfered to refuse an army which might hereafter claim the island as a dependency on the Scottish crown. The king signed a proclamation declaring the insurgents
 1642. Jan. 1. traitors†, and published his intention of raising 10,000

* Carte, iii. 61. "To wound, kill, slay, and destroy all the rebels, and their adherents and relievers, and burn, spoil, waste, consume, destroy, and demolish all the places, towns, and houses, where the rebels were or have been relieved or harboured, and all the corn and hay there, and to kill and destroy all the men there inhabiting able to bear arms." Ibid. See Note (A).

† Carte, lii. 53. Rushworth, iv. 472, 473. The lords justices requested the king to sign several copies of this proclamation, that they might send them into different counties, and prove their authenticity by his signature. For the sake of expedition, forty copies were printed, and signed by him. Yet this was afterwards converted into a charge against him, as if, by limiting the number to forty, he wished the proclamation to be but

volunteers, of putting himself at their head, and of chastising in person the presumption of the rebels. But the two houses would not listen to a project calculated to furnish the prince whom they had offended with a military force; and they preferred to vote supplies of men, of money, and of provisions; though, anxious at the same time to husband their resources for the contest which they anticipated at home, they took little care to put such votes in execution. The project which they chiefly urged, and to which they obtained the reluctant consent of the king, was to raise a large fund on the security of the lands which the insurgents were supposed to have already forfeited by their rebellion. For this purpose 2,500,000 acres were reserved by act of parliament; and the public credit was pledged to the subscribers that, for every sum of money advanced, they should receive a proportionate return of forfeited property. This plan succeeded: but, if it relieved the poverty of the treasury, it served also to cement the union, and to invigorate the efforts, of the insurgents. The former vote, never to suffer the public exercise of the catholic worship, had shown that their religion, this proved that their property, was also at stake. They were reduced to the alternative that they must either conquer or abandon the worship, and forfeit the inheritance, of their fathers*.

At York the king was no longer controlled by the vicinity of the two houses. Instead of daily insults from mobs, he received loyal addresses from different bodies of the inhabitants, and his court was frequented by the most distinguished families in the neighbourhood. But in one of the principal objects of his journey he completely failed. He had been informed that sir John Hotham felt little attachment to the popular cause, and that it required no more than the royal presence to ob-

little known; whereas, it was in reality a greater number than had been asked for with his signature.

* Rushworth, iv. 553—563.

Apr. 23. tain from him the surrender of the magazine at Hull. Confining his secret to three or four confidential servants, Charles sent his son the duke of York, and his nephew the prince elector, to Hull, on a party of pleasure. They were received and entertained with the respect due to their rank. The next morning the governor received two letters, one from sir Lewis Dives, announcing that the king meant to dine with him that day, the other from an unknown correspondent, said to have been W. Murray, afterwards earl of Dysart, hinting that it was intended to take his life for his former misconduct. Hotham ordered the drawbridge to be raised, the gates closed, and the walls manned. At eleven Charles arrived. His commands, entreaties, promises, and threats, were equally disregarded. At four he received back his son and nephew, and, returning in an hour, ordered Hotham to be proclaimed a traitor by sound of trumpet. The two houses voted the proclamation a breach of the privileges of parliament*.

This inauspicious attempt was followed by a succession of petitions and complaints, answers and replications, remonstrances and protests, in which much ability was displayed by the writers on each side, though the advantage still seemed to rest with the king. He maintained that the arms at Hull were his private property; he had bought them with borrowed money, previously to the Scottish invasion; that the town was his, for it had belonged to the crown, and was still held by royal charter: and that the fortress was his, because to him belonged the command of all the fortifications within the kingdom†. But it was idle to talk of legal rights at a time when a real though disguised war raged between the parties.

May 20. The two houses had already voted a levy of 16,000 men in opposition to the king, who intended to levy war

* Clarendon, i. 506—518. Husband, 138. Rushworth, iv. 565—599, and the Journals, v. 16. 28. The Hothams afterwards repented, but were seized and beheaded by order of parliament.

† Rushworth, iv. 567—598.

against the parliament. The trained bands of London, under general Shippon, professed the strongest attachment to the cause; the arms at Hull were removed to the Tower; a forced loan at eight per cent., and paid in money or plate, replenished the treasury; large sums were employed in the purchase of stores; the earl of Warwick (Northumberland's commission had been revoked by the king) took the command of the fleet, and the earl of Essex was appointed lord general, with a solemn promise from both lords and commons, that they would live and die with him in the national quarrel*. July 12.

On the other hand the king was not idle. Numbers of the nobility and gentry, and clergy, with the members of both universities, lent him money; a vessel sent by the queen from Holland brought him a supply of arms, ammunition, and sixteen pieces of cannon; the neighbouring gentlemen of the county offered him their support; and in opposition to the ordinance for levying the militia, he issued commissions of array according to the ancient custom, for each separate county. Thus the whole kingdom was thrown into confusion†. In every shire, almost in every township, were persons raising men at the same time for the king and the parliament: in the south, the latter generally prevailed; the lower classes had long looked up to it for protection against the illegal assumptions of royalty; and the speedy vengeance with which the least symptom of disobedience was visited, induced the higher to feign sentiments which they did not feel. In many places rencontres 2. June 12.

* Journals, v. 29. 34. 40. 56. 64. 66. 70. 79. 87. 91. 105. 121. 140. 152. 181. 186. 196. 206. The pay of the soldiers was 8*d.* per day for the infantry, 2*s.* 6*d.* for the cavalry; viz., 16*d.* for the keep of the horse, the rest for the man. Ibid. 196. 197. The lord general received 10*l.*, the general of the horse 6*l.* per day.

† At first it was objected to the commissions issued by the king at York, that they were of no force, because they wanted the great seal. To remove this difficulty, Lyttleton, the lord keeper, was induced by Hyde to send the seal to the king, and to repair to York in May. The two houses were irritated; but in their own defence they ordered a new great seal to be made, and intrusted it to commissioners of their own. Clarendon's Life, 61. 64. Hist. i. 568—574. Rushworth, iv. 718. Lords' Journals, 93.

took place between the parties: some blood was spilt, and prisoners were reciprocally made; but whenever the royalists had the worst, their property was pillaged by the mob*.

There were, however, many, both at York and in the parliament, who still laboured to effect an accommodation. The king, they contended, had made most ample concessions; all that could be desired, was security for the performance, and why might not this be obtained by treaty as readily as by war? Charles demanded an answer to the proposals which he had made at the commencement of the year; and his adversaries, to silence the clamour of their adherents, offered nineteen articles, as the basis of a pacification. They were chiefly framed after the model of the concessions obtained by the

June
1. Scots; that all matters of importance should be debated and concluded in parliament; that the members of the council, and the great officers of state, the chief justice and chief baron, should be always chosen with the approbation of parliament, and should retain their offices during their good behaviour; that the governors and tutors of the king's children should also be chosen by parliament; that no treaty of marriage, respecting any member of the royal family, should be negotiated without its consent; that the king should dismiss all his guards, should recall his proclamations, and should suffer the ordinance for the militia to remain in force, till the question were settled by bill; that a reform should be made in the church and the liturgy; that no peer should sit in parliament unless he were admitted with the consent of both houses; that the popish peers should be deprived of their votes until they had conformed; and that the children of catholics should be brought up in the protestant faith.

18. Charles replied that he was willing to concur in the forced education of catholic children, to compel the catholic peers to give their proxies to protestants, and to

* Ibid. 74. 111. 115. 147. 149. 182, and Mercurius Rusticus.

abolish all innovations in religion; but he could not consent to the rest of the demands. He deemed them unnecessary: "for the power legally placed in the two houses was more than sufficient to prevent and restrain the power of tyranny." He would therefore say with the barons of old, "*nolumus leges Angliæ mutari.*" Otherwise he might still have his hands kissed, still be addressed with the style of majesty, still wear a crown and carry a sceptre, but he would be deprived of all real power, a dependent on the bounty, and a slave to the caprice, of a faction among his subjects*.

As long as the two parties adhered to these principles, reconciliation was impracticable; and it became an object of the first importance to each, to persuade the nation that the impending civil war was to be attributed to the unreasonable pretensions of the other. The houses voted an humble petition to the king, to recall the commissions of array, to disband his forces, consent to the punishment of delinquents, and to return to one of his usual residences in the vicinity of the capital. Charles, in his reply, appealed to the Almighty in proof of his readiness to disarm his adherents, to meet the two houses, and to settle every difference in a parliamentary way; but then he required as previous conditions that they should repeal the ordinance of the militia, replace the navy under the command of the admiral whom he had appointed, and meet him in some place, where both he and they might be secure from insult and intimidation†. But the quarrel was now

July
12.

23.

* Ibid. 90. 97. 153. Rushworth, iv. 722. 735. Clarendon, i. 634—647. In this answer the friends of the church remarked and lamented an important departure from the language of ancient times. The parliament was described as consisting of three estates, the king, the lords, and the commons: whereas formerly the three estates were the clergy, the lords, and the commons, with the king for their head. Clarendon's Life, p. 67. In the omission of the clergy the answer was right; for the clergy had long ceased to form a separate estate in parliament. In numbering the king as one of the estates, it was wrong; he was their head still as much as he had ever been.

† Lords' Journals, v. 206. 235. 242. Clarendon, i. 684—693.

July drawing to a crisis; and the houses answered, that to
 26. accede to such conditions would be to betray the trust reposed in them for the safety of the king and kingdom.

The commencement of hostilities was occasioned by the following occurrence. Colonel Goring, the governor of Portsmouth, an officer of distinguished merit, had been raised to the rank of lieutenant-general, and appointed to organize and discipline the new parliamentary levies. He hesitated to accept the commission, and pleaded in excuse of his delay the necessity of superintending the construction of some new fortifications: but a peremptory order to join the army extorted from him an answer, that he could not in honour quit his command without the royal permission. Aware of the consequences, he administered an oath of allegiance to the soldiers and inhabitants, and in a few days was besieged
 Aug. by a parliamentary force under Essex. The king im-
 2. mediately proclaimed that general and the officers under him traitors, unless they should return to their duty
 9. within the space of six days, and the houses declared the royal proclamation a libellous and scandalous paper, and retorted the crime of treason on all those by whom it had been advised, and by whom it should be afterwards abetted or countenanced*.

In these circumstances Charles resolved on hostile
 12. measures. Having sounded the disposition of the Yorkshire gentlemen, he summoned all his loving subjects north of the Trent, and within twenty miles to the south of that river, to meet him in arms at Nottingham
 22. on the twenty-second of August. On that day the royal standard, on which was a hand pointing to a crown, with this motto, "Give to Cæsar his due," was carried by a guard of six hundred foot from the castle into a large field; the king followed with a retinue of two thousand men; and the inhabitants crowded around to

* Clarendon, i. 711—715. Rushworth, vi. 761. 773. Lords' Journals, 76. 257. 261. 283. 288. 503. Commons' Journals, May 20, 22.

hear the proclamation read by the herald-at-arms. This ceremony, called the raising of the standard, was deemed equivalent to a declaration of hostilities*.

Thus step by step was the country led into the most direful of national calamities, a civil war. The Stuarts, seated on the throne of the Tudors, doubted not that they were rightfully possessed of all those arbitrary powers claimed and exercised by their predecessors. But within the last fifty years the minds of men had undergone a wonderful revolution. It had become fashionable to study the principles of government, and to oppose the rights of the subject to the pretensions of the sovereign. We have seen that Elizabeth, with all the awe inspired by the firmness of her character, had been unable, towards the close of her reign, to check the expression of liberal sentiments. Under the gentle sway of James they were diffused with rapidity; and the necessities of Charles, arising from his wars and his debts, emancipated them altogether from restraint. Good sense should have taught him to go along with the general feelings of his people: but princes in all ages have been slow to learn the important lesson, that the influence of authority must ultimately bend to the influence of opinion. The monarch clung with pertinacity to every branch of the prerogative; and if he ever relinquished his hold, it was after so long a struggle, and with so bad a grace, that he excited in his subjects suspicions of his sincerity; suspicions confirmed by that habit of duplicity which had ever marked his conduct since his first entrance into public life. Their distrust formed an antidote to their gratitude; they gave him no credit for the most valuable concessions; and the wish to secure what they had gained, induced them to make new and more galling demands †.

* Lords' Journals, 297. Rushworth, 783.

† This general feeling is strongly expressed by a female and contemporary writer. "He made no conscience of granting anything to the people, which he resolved should not oblige him longer than it should serve his turn; for he was a prince that had nothing of faith or truth,

The reader, however, will have remarked that the controversy between the king and his opponents no longer regarded the real liberties of the nation, which had already been established by successive acts of the legislature; but was confined to certain concessions, which *they* demanded as essential to the preservation of those liberties, and which *he* refused as subversive of the royal authority. That some securities were requisite, no one denied; but while many contended that the control of the public money, the power of impeachment, and the right of meeting every third year, all which were now vested in the parliament, formed a sufficient barrier against encroachments on the part of the sovereign, others insisted that the command of the army, and the appointment of the officers of state, the counsellors, and the judges, ought also to be transferred, for a time at least, to the two houses. Diversity of opinion produced a schism among the patriots: the more moderate silently withdrew to the royal standard; the more violent or more distrustful resolved to defend their opinions with the sword. It has often been asked, who were the authors of the civil war? The answer seems to depend on the solution of this other question—were additional securities necessary for the preservation of the national rights? If they were, the blame will belong to Charles; if not, it must rest with his adversaries.

“justice or generosity, in him. He was the most obstinate person in his self-will that ever was; and so bent upon being an absolute uncontroulable sovereign, that he was resolved either to be such a king or none.” Though the portrait is too highly coloured, the outline may be deemed correct. Lucy Hutchinson’s Memoirs of her Husband, colonel Hutchinson, p. 66.

CHAPTER II.

CHARLES I.

Battle of Edge Hill—Treaty at Oxford—Solemn vow and covenant—
 Battle of Newbury—Solemn league and covenant between the English
 and Scottish parliaments—Cessation of war in Ireland—Royalist Parlia-
 ment at Oxford—Propositions of peace—Battle of Marston Moor—The
 army of Essex capitulates in the west—Self-denying ordinance—Synod
 of divines—Directory for public worship—Trial of Archbishop Laud—
 Bill of attainder—His execution.

It had been suggested to the king that, at the head of an army, he might negotiate with greater dignity and effect. From Nottingham he despatched to London the earl of Southampton, sir John Colepepper, and sir William Uvedale, the bearers of a proposal, that commissioners should be appointed on both sides, with full powers to treat of an accommodation. The two houses, assuming a tone of conscious superiority, replied that they could receive no message from a prince who had raised his standard against his parliament, and had pronounced their general a traitor. Charles (and his condescension may be taken as a proof of his wish to avoid hostilities) offered to withdraw his proclamation, provided they on their part would rescind their votes against his adherents. They refused: it was their right and their duty to denounce, and bring to justice, the enemies of the nation. He conjured them to think of the blood that would be shed, and to remember that it would lie at their door: they retorted the charge; he was the aggressor, and his would be the guilt. With this ar-

Aug. 25.

27.

Sept. 4.

6.

11.

16.

swer vanished every prospect of peace: both parties appealed to the sword; and within a few weeks the flames of civil war were lighted up in every part of the kingdom*.

Three-fourths of the nobility and superior gentry, led by feelings of honour and gratitude, or by their attachment to the church, or by a well-grounded suspicion of the designs of the leading patriots, had ranged themselves under the royal banner. Charles felt assured of victory, when he contemplated the birth, and wealth, and influence of those by whom he was surrounded: but he might have discovered much to dissipate the illusion, had he considered their habits, or been acquainted with their real, but unavowed sentiments. They were for the most part men of pleasure, fitter to grace a court than to endure the rigour of military discipline, devoid of mental energy, and likely, by their indolence and debauchery, to offer advantages to a prompt and vigilant enemy. Ambition would induce them to aspire to office, and commands, and honours, to form cabals against their competitors, and to distract the attention of the monarch by their importunity, or their complaints. They contained among them many who secretly disapproved of the war, conceiving that it was undertaken for the sake of episcopacy,—an institution in the fate of which they felt no interest, and others who had already in affection enrolled themselves among the followers of the parliament, though shame deterred them for a time from abandoning the royal colours†.

There was another class of men on whose services the king might rely with confidence,—the catholics,—who, alarmed by the fierce intolerance and the severe menaces

* Journals, v. 327, 328. 338. 341. 358. Clarendon, ii. 8. 16.

† Thus sir Edward Varney, the standard-bearer, told Hyde, that he followed the king because honour obliged him; but the object of the war was against his conscience, for he had no reverence for the bishops, whose quarrel it was. Clarendon's Life, 69. Lord Spencer writes to his lady, "If there could be an expedient found to save the punctilio of honour, I would not continue here an hour." Sydney Papers, ii. 667.

of the parliament, saw that their own safety depended on the ascendancy of the sovereign. But Charles hesitated to avail himself of this resource. His adversaries had allured the zealots to their party, by representing the king as the dupe of a popish faction, which laboured to subvert the protestant, and to establish on its ruins the popish worship. It was in vain that he called on them to name the members of this invisible faction, that he publicly asserted his attachment to the reformed faith, and that, to prove his orthodoxy, he ordered two priests to be put to death at Tyburn, before his departure from the capital, and two others at York, soon after his arrival in that city*. The houses still persisted in the charge; and in all their votes and remonstrances attributed the measures adopted by the king to the advice and influence of the papists, and their adherents†. Aware of the impression which such reports made on the minds of the people, he at first refused to intrust with a commission, or even to admit into the ranks, any person who had not taken the oaths of allegiance and supremacy; but necessity soon taught him to accept of Aug. the services of all his subjects without distinction of 10. religion, and he not only granted permission to the catholics to carry arms in their own defence, but incorporated them among his own forces‡.

* Thomas Reynolds and Bartholomew Roe, on Jan. 21; John Lockwood and Edmund Caterick, on April 13. Challoner, ii. 117. 200.

† In proof of the existence of such a faction, an appeal has been made to a letter from lord Spencer to his wife. (Sydney Papers, ii. 667.) Whether the cipher 243 is correctly rendered "papists," I know not. It is not unlikely that lord Spencer may have been in the habit of applying the term to the party supposed to possess the royal confidence, of which party he was the professed adversary. But when it became at last necessary to point out the heads of this popish faction, it appeared that they were all protestants—the earls of Bristol, Cumberland, Newcastle, Carnarvon and Rivers, secretary Nicholas, Endymion Porter, Edward Hyde, the duke of Richmond, and the viscounts Newark and Falkland. Rushworth, v. 16. May, 163. Also Baillie, i. 416. 430. ii. 75.

‡ Rushworth, iv. 772. v. 49, 50. 80. Clarendon, ii. 41. On September 23, 1642, Charles wrote from Shrewsbury, to the earl of Newcastle,—
 "This rebellion is grown to that height, that I must not looke to what
 "opinion men ar, who at this tyme ar willing and able to serve me.
 "Therefore I doe not only permit, but command you, to make use of all
 "my loving subjects' services, without examining ther contienses (more

While the higher classes repaired with their dependents to the support of the king, the call of the parliament was cheerfully obeyed by the yeomanry in the country, and by the merchants and tradesmen in the towns. All these had felt the oppression of monopolies and ship money: to the patriots they were indebted for their freedom from such grievances; and, as to them they looked up with gratitude for past benefits, so they trusted to their wisdom for the present defence of their liberties. Nor was this the only motive: to political must be added religious enthusiasm. The opponents of episcopacy, under the self-given denomination of the godly, sought to distinguish themselves by the real or affected severity of their morals; they looked down with contempt on all others, as men of dissolute or irreligious habits; and many among them, in the belief that the reformed religion was in danger, deemed it a conscientious duty to risk their lives and fortunes in the quarrel*. Thus were brought into collision some of the most powerful motives which can agitate the human breast, loyalty, and liberty, and religion: the conflict elevated the minds of the combatants above their ordinary level, and in many instances produced a spirit of heroism, and self-devotedness, and endurance, which demands our admiration and sympathy. Both parties soon distinguished their adversaries by particular appellations. The royalists were denominated cavaliers: a word which, though applied to them at first in allusion to their quality, soon lost its original acceptation, and was taken to be synonymous with papist, atheist, and voluptuary: and they on their part gave to their enemies the name of round-heads, because they cropped their hair short, dividing "it into so many little peaks as was something "ridiculous to behold†."

"than there loyalty to me) as you shall fynde most to conduce to the upholding of my just regall power." Ellis, iii. 291.

* Whitelock, 76.

† Life of colonel Hutchinson, p. 100. "The godly of those days, when the colonel embraced their party, would not allow him to be religious,

Each army in its composition resembled the other. Commissions were given, not to persons the most fit to command, but to those who were most willing and able to raise men; and the men themselves, who were generally ill paid, and who considered their services as voluntary, often defeated the best concerted plans, by their refusal to march from their homes, or their repugnance to obey some particular officer, or their disapproval of the projected expedition. To enforce discipline was dangerous; and both the king and the parliament found themselves compelled to entreat or connive, where they ought to have employed authority and punishment. The command of the royal army was intrusted to the earl of Lindsey, of the parliamentary forces to the earl of Essex, each of whom owed the distinction to the experience which he was supposed to have acquired in foreign service. But such experience afforded little benefit. The passions of the combatants despised the cool calculations of military prudence: a new system of warfare was necessarily generated; and men of talents and ambition quickly acquired that knowledge which was best adapted to the quality of the troops, and to the nature of the contest.

Charles, having left Nottingham, proceeded to Shrewsbury, collecting reinforcements, and receiving voluntary contributions on his march. Half-way between Stafford and Wellington he halted the army, and placing himself in the centre, solemnly declared in the presence of Almighty God, that he had no other design, that he felt no other wish, than to maintain the protestant faith, to govern according to law, and to observe all the statutes enacted in parliament. Should he fail in any one of these particulars, he renounced all claim to assistance from man, or protection from God: but as long as he remained faithful to his promise, he hoped for cheerful aid

"because his hair was not in their ent, nor his words in their phrase." Ibid. The names were first given a little before the king left Whitehall. Clarendon, i. 339.

from his subjects, and was confident of obtaining the blessing of Heaven. This solemn and affecting protestation being circulated through the kingdom, gave a new stimulus to the exertions of his friends ; but it was soon

Oct. 22. opposed by a most extraordinary declaration on the part of the parliament ; that it was the real intention of the king to satisfy the demands of the papists by altering the national religion, and the rapacity of the cavaliers by giving up to them the plunder of the metropolis ; and that to prevent the accomplishment of so wicked a design, the two houses had resolved to enter into a solemn covenant with God, to defend his truth with the hazard of their lives, to associate with the well-affected in London and the rest of the kingdom, and to request the aid of their Scottish brethren, whose liberties and religion were equally at stake*.

Sept. 9. In the mean time Waller had reduced Portsmouth, while Essex concentrated his force, amounting to 15,000 men, in the vicinity of Northampton. He received

16. orders from the houses to rescue, by force, if it were necessary, the persons of the king, the prince, and the duke of York, from the hands of those desperate men by whom they were surrounded, to offer a free pardon to all who, within ten days, should return to their duty, and to forward to the king a petition, that he would separate himself from his evil counsellors, and rely once more on

23. the loyalty of his parliament. From Northampton Essex hastened to Worcester, to oppose the advance of the royal army.

At Nottingham the king could muster no more than

Oct. 12. 6000 men : he left Shrewsbury at the head of thrice that number. By a succession of skilful manœuvres he contrived to elude the vigilance of the enemy ; and had advanced two days' march on the road to the metropolis before Essex became aware of his object. In London the news was received with terror. Little reliance could

* Clarendon, ii. 16. Rushworth, v. 20. 21. Journals, v. 376. 418.

be placed on the courage, less on the fidelity of the trained bands; and peremptory orders were despatched to Essex, to hasten with his whole force to the protection of the capital and the parliament. That general had seen his error: he was following the king with expedition; and his vanguard entered the village of Keynton on the same evening on which the royalists halted on Edgehill, only a few miles in advance. At midnight Charles held a council of war, in which it was resolved to turn upon the pursuers, and to offer them battle. Early in the morning the royal army was seen in position on the summit of a range of hills, which gave them a decided superiority in case of attack: but Essex, whose artillery, with one fourth of his men, was several miles in the rear, satisfied with having arrested the march of the enemy, quietly posted the different corps, as they arrived, on a rising ground in the Vale of the Red Horse, about half a mile in front of the village. About noon the cavaliers grew weary of inaction: their importunity at last prevailed; and about two the king discharged a cannon with his own hand, as the signal of battle. The royalists descended in good order to the foot of the hill, where their hopes were raised by the treachery of sir Faithful Fortescue, a parliamentary officer, who, firing his pistol into the ground, ranged himself with two troops of horse under the royal banner. Soon afterwards prince Rupert, who commanded the cavalry on the right, charged twenty-two troops of parliamentary horse led by sir James Ramsay; broke them at the very onset; urged the pursuit two miles beyond Keynton, and, finding the baggage of the army in the village, indulged his men for the space of an hour in the work of plunder. Had it not been for this fatal imprudence, the royalists would probably have gained a decisive victory.

Oct. 22.
23.

During his absence the main bodies of infantry were engaged under their respective leaders, the earls of Lindsey and Essex, both of whom dismounting, led their

men into action on foot. The cool and determined courage of the round-heads undeceived and disconcerted the cavaliers. The royal horse on the left, a weak body under lord Wilmot, had sought protection behind a regiment of pikemen; and sir William Balfour, the parliamentary commander, leaving a few squadrons to keep them at bay, wheeled round on the flank of the royal infantry, broke through two divisions, and made himself master of a battery of cannon. In another part of the field the king's guards, with his standard, bore down every corps that opposed them, till Essex ordered two regiments of infantry and a squadron of horse to charge them in front and flank, whilst Balfour, abandoning the guns which he had taken, burst on them from the rear. They now broke: sir Edward Varner was slain, and the standard which he bore was taken*; the earl of Lindsey received a mortal wound; and his son, the lord Willoughby, was made prisoner in the attempt to rescue his father. Charles, who, attended by his troop of pensioners, watched the fortune of the field, beheld with dismay the slaughter of his guards; and, ordering the reserve to advance, placed himself at their head; but at the moment Rupert and the cavalry reappeared; and, though they had withdrawn from Keynton to avoid the approach of Hampden with the rear of the parliamentary army, their presence restored the hopes of the royalists, and damped the ardour of their opponents. A breathing time succeeded: the firing ceased on both sides, and the adverse armies stood gazing at each other, till the darkness induced them to withdraw,—the royalists to their first position on the hills, and the parliamentarians to the village of Keynton. From the conflicting statements of the parties, it is impossible to estimate their respective losses. Most writers make the number of the slain to amount to

* The standard was nevertheless recovered by the daring or the address of a captain Smith, whom the king made a banneret in the field.

5000 : but the clergyman of the place, who superintended the burial of the dead, reduces it to about 1200 men *.

Both armies claimed the honour ; neither reaped the benefit of victory. Essex, leaving the king to pursue his march, withdrew to Warwick, and thence to Coventry : Charles, having compelled the garrison of Banbury to surrender, turned aside to the city of Oxford. 27. Each commander wished for leisure to reorganize his army after the late battle. The two houses, though they assumed the laurels of victory, felt alarm at the proximity of the royalists, and at occasional visits from parties of cavalry. They ordered Essex to come to their protection ; they wrote for assistance from Scotland ; they 2. formed a new army under the earl of Warwick ; they voted an address to the king ; they even submitted to his refusal of receiving as one of their deputies sir John Evelyn, whom he had previously pronounced a traitor †. In the mean while the royal army, leaving Oxford, loitered—for what reason is unknown—in the vicinity of Reading, and permitted Essex to march without molestation by the more eastern road to the capital. Kingston, 7. Acton, and Windsor, were already garrisoned for the parliament ; and the only open passage to London lay through the town of Brentford. Charles had reached Colnbrook in this direction, when he was met by the commissioners, who prevailed on him to suspend his 10. march. The conference lasted two days : on the second

* This is the most consistent account of the battle, which I can form out of the numerous narratives in Clarendon, May, Ludlow, Heath, &c. Lord Wharton, to silence the alarm in London, on his arrival from the army, assured the two houses that the loss did not exceed 300 men (Journ. v. 423). The prince of Wales, about 12 years old, who was on horseback in a field under the care of sir John Hinton, had a narrow escape. " One of the troopers observing you," says Hinton, " came in full career towards your highness. I received his charge, and, having spent a pistol or two on each other, I dismounted him in the closing, but being armed cap-a-pié I could do no execution on him with my sword : " at which instant one Mr. Matthews, a gentleman pensioner, rides in, and " with a poll-axe decides the business."—MS. in my possession.

† Journals, 431—6. On Nov. 7. the house voted the king's refusal to receive Evelyn a refusal to treat : but on the 9th ingeniously evaded the difficulty, by leaving it to the discretion of Evelyn, whether he would act or not. Of course he declined. Ibid. 437. 9.

Nov. of which Essex threw a brigade, consisting of three of
 11. his best regiments, into that town. Charles felt indig-
 13. nant at this proceeding. It was in his opinion a breach
 of faith; and two days later, after an obstinate resistance
 on the part of the enemy, he gained possession of Brent-
 ford, having driven part of the garrison into the river,
 and taken fifteen pieces of cannon, and five hundred
 men. The latter he ordered to be discharged, leaving it
 to their option either to enter among his followers, or to
 promise on oath never more to bear arms against him *.

This action put an end to the projected treaty. The
 parliament reproached the king that, while he professed
 the strongest repugnance to shed the blood of English-
 men, he had surprised and murdered their adherents at
 Brentford, unsuspecting as they were, and relying on the
 security of a pretended negociation. Charles indignantly
 retorted the charge on his accusers. They were the
 real deceivers, who sought to keep him inactive in his
 position, till they had surrounded him with the multi-
 tude of their adherents. In effect his situation daily
 became more critical. His opponents had summoned
 forces from every quarter to London, and Essex found
 14. himself at the head of 24,000 men. The two armies
 faced each other a whole day on Turnham Green; but
 neither ventured to charge, and the king, understanding
 that the corps which defended the bridge at Kingston
 had been withdrawn, retreated first to Reading, and
 then to Oxford. Probably he found himself too weak to
 cope with the superior number of his adversaries:
 publicly he alleged his unwillingness to oppose by a
 battle any further obstacle to a renewal of the treaty †.

The whole kingdom at this period exhibited a most
 melancholy spectacle. No man was suffered to remain
 neuter. Each county, town, and hamlet, was divided

* Each party published contradictory accounts. I have adhered to the documents entered in the Journals, which in my opinion show that, if there was any breach of faith in these transactions, it was on the part of the parliament, and not of the king.

† May, 179. Whitelock, 65, 66. Clarendon, ii. 76.

into factions, seeking the ruin of each other. All stood upon their guard, while the most active of either party eagerly sought the opportunity of despoiling the lands, and surprising the persons of their adversaries. The two great armies, in defiance of the prohibitions of their leaders, plundered wherever they came, and their example was faithfully copied by the smaller bodies of armed men in other districts. The intercourse between distant parts of the country was interrupted; the operations of commerce were suspended; and every person possessed of property was compelled to contribute after a certain rate to the support of that cause, which obtained the superiority in his neighbourhood. In Oxford and its vicinity, in the four northern counties, in Wales, Shropshire, and Worcestershire, the royalists triumphed without opposition: in the metropolis, and the adjoining counties, on the southern and eastern coast, the superiority of the parliament was equally decisive. But in many parts the adherents of both were intermixed in such different proportions, and their power and exertions were so variously affected by the occurrences of each succeeding day, that it became difficult to decide which of the two parties held the preponderance. But there were four counties, those of York, Chester, Devon, and Cornwall, in which the leaders had already learned to abhor the evils of civil dissension. They met on both sides, and entered into engagements to suspend their political animosities, to aid each other in putting down the disturbers of the public peace, and to oppose the introduction of any armed force, without the joint consent both of the king and the parliament. Had the other counties followed the example, the war would have been ended almost as soon as it began. But this was a consummation which the patriots deprecated. They pronounced such engagements derogatory from the authority of parliament; they absolved their partisans from the obligations into which they had entered; and

Dec.
231643.
Jan.
7.

they commanded them once more to unsheath the sword in the cause of their God and their country*.

- But it soon became evident that this pacific feeling was not confined to the more distant counties. It spread rapidly through the whole kingdom; it manifested itself without disguise even in the metropolis. Men were anxious to free themselves from the forced contribution of one-twentieth part of their estates, for the support of the parliamentary army†, and the citizens could not forget the alarm which had been created by the late approach of the royal forces. Petitions for peace, though they were ungraciously received, continued to load the tables of both houses; and, as the king himself had proposed a cessation of hostilities, prudence taught the most sanguine advocates for war to accede to the wishes of the people. A negotiation was opened at Oxford.
- Jan. 30. The demands of the parliament amounted to fourteen
Feb. articles; those of Charles were confined to six. But two
3. only, the first in each class, came into discussion. No
Mar. argument could induce the houses to consent that the
20. king should name to the government of the forts and castles without their previous approbation of the persons to be appointed; and he demurred to their proposal that both armies should be disbanded, until he knew on what conditions he was to return to his capital. They had limited the duration of the conference to twenty days.
30. He proposed a prolongation of the term. They refused;
April and he offered, as his ultimatum, that, whenever he should
12. be reinstated in the possession of his revenues, magazines, ships, and forts, according to law; when all the members of parliament, with the exception of the bishops, should be restored to their seats, as they held them on the first of January, 1641; and when the two houses should be secure from the influence of tumultuary

* Journals, 535. Rushworth, v. 100. Clarendon, ii. 136. 139.

† Journals, 463. 491. 594. Commons' Journals, Dec. 13. It was imposed Nov. 29, 1642.

assemblies, which could only be effected by an adjournment to some place twenty miles distant from London, he would consent to the immediate disbanding of both armies, and would meet his parliament in person. The commons instantly passed a vote to recall the commis-
 sioners from Oxford; the lords, though at first they dis-
 sented, were compelled to signify their concurrence; and an end was put to the treaty, and to the hopes which it had inspired *. Apr. 14.
17.

During this negotiation the houses left nothing to the discretion of their commissioners, the earl of Northumberland, Pierrepont, Armyn, Holland, and Whitelock. They were permitted to propose and argue; they had no power to concede †. Yet, while they acted in public according to the tenor of their instructions, they privately gave the king to understand that he might probably purchase the preservation of the church by surrendering the command of the militia,—a concession which his opponents deemed essential to their own security. At one period they indulged a strong hope of success. At parting, Charles had promised to give them satisfaction on the following day; but during the night he was dissuaded from his purpose; and his answer in the morning proved little short of an absolute denial. Northumberland also made a secret offer of his influence to mollify the obstinacy of the patriots; but Charles, who called that nobleman the most ungrateful of men, received the proposal with displeasure, and to the impotency of his advisers coldly replied, that the service must come first, and the reward might follow afterwards.

* See the whole proceedings relative to the treaty in the king's works, 325—397; the Journals of the Lords, v. 659—718; and Rushworth, v. 164—261.

† This was a most dilatory and inconvenient arrangement. Every proposal, or demand, or suggestion from the king was sent to the parliament, and its expediency debated. The houses generally disagreed. Conferences were therefore held, and amendments proposed; new discussions followed, and a week was perhaps consumed before a point of small importance could be settled.

Whether the parliament began to suspect the fidelity of the commissioners, and on that account recalled them, is unknown. Hyde maintains that the king protracted the negotiation to give time for the arrival of the queen, without whom he would come to no determination; but of this not a vestige appears in the private correspondence between Charles and his consort; and a sufficient reason for the failure of the treaty may be found in the high pretensions of each party, neither of whom had been sufficiently humbled to purchase peace with the sacrifice of honour or safety*.

It was owing to the indefatigable exertions of Henrietta that the king had been enabled to meet his opponents in the field. During her residence in Holland she had repeatedly sent him supplies of arms and ammunition, and, what he equally wanted, of veteran officers to train and discipline his forces. In February, leaving the Hague, and trusting to her good fortune, she had
 Feb. 16. eluded the vigilance of Batten, the parliamentary admiral, and landed in safety in the port of Burlington on
 22. the coast of Yorkshire. Batten, enraged at his disappointment, anchored on the second night, with four ships
 24. and a pinnace, in the road, and discharged above 100 shot at the houses on the quay, in one of which the queen was lodged. Alarmed at the danger, she quitted her bed, and, "bare foot and bare leg," sought shelter till daylight behind the nearest hill. No action of the war was more bitterly condemned by the gallantry of the cavaliers than this unmanly attack on a defenceless

* See Clarendon's Life, 76—80. Whitelock, 68, and the letters in the king's works, 138—140. Before Henrietta left England, he had promised her to give away no office without her consent, and not to make peace but through her mediation. Charles, however, maintained that the first regarded not offices of state, but offices of the royal household; and the second seems to have been misunderstood. As far as I can judge, it only meant that whenever he made peace, he would put her forward as mediatrix, to the end that, since she had been calumniated as being the cause of the rupture between him and his people, she might also have in the eyes of the public the merit of effecting the reconciliation. Clarendon's Life, *ibid.*

female, the wife of the sovereign. The earl of Newcastle hastened to Burlington, and escorted her with his army to York. To have pursued her journey to Oxford would have been to throw herself into the arms of her opponents. She remained four months in Yorkshire, winning the hearts of the inhabitants by her affability, and quickening their loyalty by her words and example*.

During the late treaty every effort had been made to recruit the parliamentary army: at its expiration Hampden, who commanded a regiment, proposed to besiege the king within the city of Oxford. But the ardour of the patriots was constantly checked by the caution of the officers who formed the council of war. Essex invested Reading: at the expiration of ten days it capitulated; and Hampden renewed his proposal. But the hardships of the siege had already broken the health of the soldiers; and mortality and desertion daily thinned their numbers. Essex found himself compelled to remain six weeks in his new quarters at Reading. Apr. 27.

If the fall of that town impaired the reputation of the royalists, it added to their strength by the arrival of the 4600 men who had formed the garrison. But the want of ammunition condemned the king to the same inactivity to which sickness had reduced his adversaries. Henrietta endeavoured to supply this deficiency. In May a plentiful convoy arrived from York; and Charles, before he put his forces in motion, made another offer of accommodation. By the lords it was received with respect: the commons imprisoned the messenger; and Pym, in their name, impeached the queen of high treason against the parliament and kingdom. The charge was met by the royalists with sneers of derision. The lords declined the ungracious task of sitting in judgment on the wife of their sovereign; and the commons themselves, but it was not till after the lapse of eight months, May 20. 23.

* *Mercurius Belgic.* Feb. 24. *Microchronicon*, Feb. 24, 1642-3. *Clarendon*, ii. 143. According to Rushworth, Batten fired at boats which were landing ammunition on the quav.

yielded to their reluctance, and silently dropped the prosecution *.

In the lower house no man had more distinguished himself of late, by the boldness of his language, and his fearless advocacy of peace, than Edmund Waller, the poet. In conversation with his intimate friends, he had frequently suggested the formation of a third party, of moderate men, who should "stand in the gap, and unite the king and the parliament." In this work they calculated on the co-operation of all the lords excepting three, of a considerable number of the lower house, and of the most able among the advisers of the king at Oxford; and that they might ascertain the real opinion of the city they agreed to portion it into districts, to make lists of the inhabitants, and to divide them into three classes, of moderate men, of royalists, and of parliamentarians. The design had been communicated to lord Falkland, the king's secretary; but it remained in this imperfect state, when it was revealed to Pym by the

May 31. perfidy or patriotism of a servant, who had overheard the discourse of his master. Waller, Tompkins his brother-in-law, and half-a-dozen others, were immediately secured; and an annunciation was made to the two houses of "the discovery of a horrid plot to seize the city, force the parliament, and join with the royal army †."

The leaders of the patriots eagerly improved this opportunity to quell that spirit of pacification which had recently insinuated itself among their partisans. While the public mind was agitated by rumours respecting the bloody designs of the conspirators, while every moderate man feared that the expression of his sentiments might be taken as an evidence of his participation in the plot, they proposed a new oath and covenant to the house of

June 6. commons. No one dared to object; and the members

* Journals, 104. 111. 118. 121. 362. Commons' Journals, May 23, June 21, July 3. 6. 1644. Jan. 10.

† Journals, June 6.

unanimously swore, "never to consent to the laying
 "down of arms, so long as the papists, in open war
 "against the parliament, should be protected from the
 "justice thereof, but according to their power and voca-
 "tion to assist the forces raised by the parliament against
 "the forces raised by the king." The lords, the citizens,
 and the army followed their example; and an ordinance
 was published that every man in his parish church June
 should make the same vow and covenant*. As for the 27.
 prisoners, instead of being sent before a court of law,
 they were tried by a court-martial. Six were condemned 30.
 to die: two suffered. Waller saved his life by the most July
 abject submission. "He seemed much smitten in con- 5.
 "science: he desired the help of godly ministers," and
 by his entreaties induced the commons to commute his
 punishment into a fine of 10,000*l.*, and an order to travel
 on the continent. To the question why the principal
 should be spared, when his assistants suffered, it was an-
 swered by some that a promise of life had been made
 to induce him to confess, by others that too much blood

* Ibid. May 31. June 6. 14. 21. 27. 29. Rushworth, v. 322—333. White-
 lock, 67. 70. 105. The preamble began thus: "Whereas there hath been
 "and now is in this kingdom a popish and traitorous plot for the subver-
 "sion of the true protestant religion, and liberty of the subject, in pursu-
 "ance whereof a popish army hath been raised and is now on foot in divers
 "parts of the kingdom," &c. Journals, June 6. Lords' Journals, vi. 87.
 I am loath to charge the framers and supporters of this preamble with
 publishing a deliberate falsehood, for the purpose of exciting odium against
 the king; but I think it impossible to view their conduct in any other
 light. The popish plot and popish army were fictions of their own to
 madden the passions of their adherents. Charles, to refute the calumny,
 as he was about to receive the sacrament from the hands of archbishop
 Usher, suddenly rose and addressed him thus, in the hearing of the whole
 congregation: "My lord, I have to the utmost of my soul prepared to be-
 "come a worthy receiver; and may I so receive comfort by the blessed sa-
 "crament, as I do intend the establishment of the true reformed protestant
 "religion, as it stood in its beauty in the happy days of queen Elizabeth,
 "without any connivance at popery. I bless God that in the midst of
 "these publick distractions I have still liberty to communicate; and may
 "this sacrament be my damnation, if my heart do not joyn with my lips
 "in this protestation." Rush. v. 346. *Connivance* was an ambiguous and
 therefore an ill-chosen word. He was probably sincere in the sense which
 he attached to it, but certainly forsworn in the sense in which it would be
 taken by his opponents.

had already been shed in expiation of an imaginary plot*.

June 18. In the mean while Essex, after several messages from the parliament, had removed from Reading, and fixed his head quarters at Tame. One night prince Rupert, making a long circuit, surprised Chinnor in the rear of the army, and killed or captured the greater part of two regiments that lay in the town. In his retreat to Oxford, he was compelled to turn on his pursuers at Chalgrove: they charged with more courage than prudence, and were repulsed with considerable loss. It was in this action that the celebrated Hampden received the wound of which he died. The reputation which he had earned by his resistance to the payment of the ship-money had deservedly placed him at the head of the popular leaders. His insinuating manner, the modesty of his pretensions, and the belief of his integrity, gave to his opinions an irresistible weight in the lower house; and the courage and activity, which he displayed in the army, led many to lament that he did not occupy the place held by the more tardy or more cautious earl of Essex. The royalists exulted at his death as equal to a victory; the patriots lamented it as a loss which could not be repaired. Both were deceived. Revolutions are the seed-plots of talents and energy. One great leader had been withdrawn; there was no dearth of others to supply his place †.

To the root-and-branch men the rank, no less than the inactivity, of Essex, afforded a legitimate ground of suspicion. In proportion as he sank in their esteem, they were careful to extol the merits, and flatter the ambition of sir William Waller. Waller had formerly enjoyed a lucrative office under the crown, but he had been fined in the star-chamber, and his wife was a

* After a minute investigation, I cannot persuade myself that Waller and his friends proceeded further than I have mentioned. What they might have done, had they not been interrupted, is matter of mere conjecture. The commission of array, which their enemies sought to couple with their design, had plainly no relation to it.

† Rushworth, v. 265, 274. Whitelock, 69, 70. Clarendon, ii. 237. 261.

“godly woman;” *her* zeal and his own resentment made him a patriot: he raised a troop of horse for the service, and was quickly advanced to a command. The rapidity of his movements, his daring spirit, and his contempt of military rules, were advantageously contrasted with the slow and cautious experience of Essex; and his success at Portsmouth, Winchester, Chichester, Malmsbury and Hereford, all of which he reduced in a short time, entitled him, in the estimation of his admirers, to the quaint appellation of William the Conqueror. While the forces under Essex were suffered to languish in a state of destitution*, an army of 8000 men, well clothed and appointed, was prepared for Waller. But the event proved that his abilities had been overrated. In the course of a week he fought two battles, one near Bath with prince Maurice, the other with lord Wilmot, near Devizes: the first was obstinate but indecisive, the second bloody and disastrous. Waller hastened from the field to the capital, attributing the loss of his army, not to his own errors, but to the jealousy of Essex. His patrons did not abandon their favourite. Emulating the example of the Romans, they met the unfortunate general in triumphal procession, and the speaker of the commons officially returned him thanks for his services to his country †.

July
5.
July
13.

27.

This tone of defiance did not impose on the advocates of peace. Waller's force was annihilated; the grand army, lately removed to Kingston, had been so reduced by want and neglect, that Essex refused to give it the name of an army; the queen had marched without opposition from Yorkshire to Oxford, bringing to her

13.

* His army was reduced to “4000 or 5000 men, and these much malcontented that their general and they should be misprised, and Waller “immediately prized.” Baillie, i. 391. He had 3000 marching men, and 300 sick. Journals, vi. 160.

† Rushworth, v. 284, 285. Clarendon, ii. 278, 290. Journals, July, 27. May, 201—205. His first successes were attributed to colonel Hurry, a Scotsman, though Waller held the nominal command. Baillie, i. 351. But Hurry, in discontent, passed over to the king, and was the planner of the expedition which led to the death of Hampden. Clarendon, ii. 264. Baillie, i. 371.

husband, who met her on Edge-hill, a powerful reinforcement of men, artillery, and stores; and prince Rupert, in the course of three days, had won the city and castle of Bristol through the cowardice or incapacity of Nathanael Fiennes, the governor*. The cause of the parliament seemed to totter on the brink of ruin; and the lords, profiting of this moment of alarm, sent to the commons six resolutions to form the basis of a new treaty. They were favourably received; and after a debate, which lasted till ten at night, it was resolved by a majority of twenty-nine to take them into consideration †.

But the pacific party had to contend with men of the most determined energy, whom no dangers could appal, no difficulties subdue. The next day was Sunday, and it was spent by them in arranging a new plan of opposition. The preachers from their pulpits described peace as the infallible ruin of the city; the common council voted a petition urging, in the most forcible terms, the continuation of the war; and placards were affixed in the streets, calling on the inhabitants to rise as one man, and prevent the triumph of the malignants. The next morning alderman Atkins carried the petition to Westminster, accompanied by thousands calling out for war, and uttering threats of vengeance against the traitors. Their cries resounded through both the houses. The lords resolved to abstain from all public business till tranquillity was restored, but the commons thanked the petitioners for their attachment to the cause of the country. The consideration of the resolutions was then resumed; terror had driven the more pusillanimous

* Fiennes, to clear himself from the imputation of cowardice, demanded a court-martial, and Prynne and Walker, who had accused him in their publications, became the prosecutors. He was found guilty, and condemned to lose his head, but obtained a pardon from Essex, the commander-in-chief. Howell, *State Trials*, iv. 186—293.

† Clarendon Papers, ii. 149. The lords had in the last month declared their readiness to treat; but the proceedings had been suspended in consequence of a royal declaration that the houses were not free, nor their votes to be considered as the votes of parliament. *Journals*, vi. 97. 103. 108.

from the house; and on the second division the party obtained a majority of seven*.

Their opponents, however, might yet have triumphed, had they, as was originally suggested, repaired to the army, and claimed the protection of the earl of Essex. But the lord Saye and Mr. Pym hastened to that nobleman and appeased his discontent with excuses and promises. They offered to punish those who had libelled his character; they professed an unbounded reliance on his honour; they assured him that money, clothing, and recruits were already prepared to re-establish his army. Essex was won; and he informed his friends, that he could not conscientiously act against the parliament from which he held his commission. Seven of the lords, almost half of the upper house, immediately retired from Westminster†.

The victorious party proceeded with new vigour in their military preparations. Every effort was made to comply with the demands of Essex. Kimbolton, who on the death of his father had succeeded to the title of earl of Manchester, received a commission to levy 10,000 men in the associated counties of Norfolk, Suffolk, Essex, Cambridge, Ely, and Hertford‡. An ordinance was

* Clarendon, ii. 320. Journals, Aug. 5. 7. Lords, vi. 171, 172. Baillie, i. 390. On the Saturday, the numbers were 94 and 65; on the Monday 81 and 79; but the report of the tellers was disputed, and on the second division it gave 81 and 89. Two days later, between 2000 and 3000 women (the men dared not appear) presented a petition for peace, and received a civil answer; but as they did not depart, and some of them used menacing language, they were charged and dispersed by the military, with the loss of several lives. Journals, June 9. Clarendon, iii. 321. Baillie, i. 390.

† Clarendon, 323–333. Northumberland repaired to his house at Petworth; the earls of Bedford, Holland, Portland, and Clare, and the lords Lovelace and Conway to Oxford. They were ungraciously received, and most of them returned to the parliament.

‡ The first association was made in the northern counties by the earl of Newcastle in favour of the king, and was afterwards imitated by the counties of Devon and Cornwall. The patriots saw the advantage to be derived from such unions, and formed several among their partisans. The members bound themselves to preserve the peace of the associated counties; if they were royalists, "against the malevolent and ambitious persons who, in the name of the two houses, had embroiled the kingdom in a civil war;" if they were parliamentarians, "against the papists and other ill-affected persons, who surrounded the king." In each, regula-

passed, empowering the committees in the several counties to press soldiers, gunners, and surgeons: sir Henry Vane, with three colleagues from the lower house, hastened to Scotland to solicit the aid of a Scottish army; and that London might be secure from insult, a line of military communication was ordered to be drawn round the city. Every morning thousands of the inhabitants, without distinction of rank, were summoned to the task in rotation: with drums beating and colours flying they proceeded to the appointed place, and their wives and daughters attended to aid and encourage them Aug. during the term of their labour. In a few days this great work, extending twelve miles in circuit, was completed, and the defence of the line, with the command of 10,000 men, was intrusted to sir William Waller. Essex, at the repeated request of the parliament, signed the commission, but refused to insert in it the name of his rival. The blank was filled up by order of the house of commons *.

But London was preserved from danger by the insubordination of the royalists. The earl, now marquess of Newcastle, had associated the northern counties in favour of the king; he had defeated lord Fairfax, the June parliamentary general, at Atherton moor, and had re- 30. taken Gainsborough in Lincolnshire, from the forces under the command of Oliver Cromwell. But he could not prevail on his followers to march any further from their homes, or to join the grand army of the royalists in the projected attack upon the metropolis; and Charles, deprived of one half of his expected force, was compelled to adopt a new plan of operations. Turning his back on London, he hastened towards the Severn, and invested Aug. Gloucester, the only place of note in the midland counties 10. which admitted the authority of the parliament. That

tions were adopted, fixing the number of men to be levied, armed, and trained, and the money which for that purpose was to be raised in each township. Rushworth, v. 66. 94—97. 119. 381.

* May, 214. Journals, July 18, 19. 27. Lords', vi. 149. 158. 175. 184.

city was defended by colonel Massey, a brave and determined officer, with an obstinacy equal to its importance ; and Essex, at the head of 12,000 men, undertook to raise the siege. The design was believed impracticable : but all the attempts of the royalists to impede his progress were defeated ; and on the twenty-sixth day the discharge of four pieces of cannon from Presbury hills announced his arrival to the inhabitants. The besiegers burnt their huts and retired ; and Essex, having spent a few days to recruit his men, and provision the place, resumed his march in the direction of London. On his approach to Newbury, he found the royal army in possession of the road before him. I shall not attempt to describe a conflict which has been rendered unintelligible by the confused and discordant narratives of different writers. The king's cavalry appears to have been more than a match for that of the enemy ; but it could make no impression on the forest of pikes presented by the infantry, the greater part of which consisted of the trained bands from the capital. The battle raged till late in the evening, and both armies passed the night in the field, but in the morning the king allowed Essex to march through Newbury ; and having ordered prince Rupert to annoy the rear, retired with his infantry to Oxford. The parliamentarians claimed, and seem to have been justified in claiming the victory ; but their commander having made his triumphal entry into the capital, solicited permission to resign his command, and travel on the continent. To those who sought to dissuade him, he objected the distrust with which he had been treated, and the insult which had been offered to him by the authority intrusted to Waller. Several expedients were suggested : but the lord general was aware of his advantage ; his jealousy could not be removed by adulation or submission ; and Waller, after a long struggle, was compelled to lay down his command*.

* Rushworth, v. 286. 290. 293. May, 220—228. Clarendon, iii. 347. Journals, Sept. 26. 28. Oct. 7, 9. Lords', vi. 218. 242. 246, 247, 347. 356.

As soon as the parliament had recovered from the alarm occasioned by the loss of Bristol, it had found leisure to devote a part of its attention to the civil government of the kingdom. 1°. Serious inconveniences had been experienced from the absence of the great seal, the application of which was held by the lawyers necessary to give validity to several descriptions of writs. Of this benefit the two houses and their adherents were deprived, while the king on his part was able to issue patents and commissions in the accustomed form. To remedy the evil, the commons had voted a new seal; the lords demurred; but at last their consent was extorted; commissioners were appointed to execute the office of lord keeper, and no fewer than five hundred writs were sealed in one day. 2°. The public administration of justice had been suspended for twelve months. The king constantly adjourned the terms from Westminster to Oxford, and the two houses as constantly forbade the judges to go their circuits during the vacations. Now, however, under the authority of the new seal, the courts were opened. The commissioners sate in chancery, and three judges, all that remained with the parliament, Bacon, Reeve, and Trevor, in those of the king's bench, the common pleas, and the exchequer. 3°. The prosecution of the judges on account of their opinions in the case of the ship-money, was resumed. Of those who had been impeached, two remained, Berkeley and Trevor. The first was fined in twenty, the second in six, thousand pounds. Berkeley obtained the remission of a moiety of the fine, and both were released from the imprisonment to which they were adjudged*.

Ever since the beginning of the troubles a thorough understanding had existed between the chief of the Scottish covenanters and the principal of the English reformers. Their views were similar; their object the same. The Scots had, indeed, fought and won: but

* Lords' Journals, vi. 214. 252. 264. 301. 318. Commons' Journals, May 15. July 5. Sept. 28. Rushworth, v. 144, 145. 339. 342. 361.

they held the fruit of their victory by a doubtful tenure, as long as the fate of their "English brethren" depended on the uncertain chances of war. Both policy and religion prompted them to interfere. The triumph of the parliament would secure their own liberties; it might serve to propagate the pure worship of their kirk. This had been foreseen by the Scottish royalists, and Montrose, who by the act against the plotters was debarred from all access to the king, took advantage of the queen's debarkation at Burlington to visit her at York. He pointed out to her the probability of the Scottish covenanters sending their army to the aid of the parliament, and offered to prevent the danger by levying in Scotland an army of 10,000 royalists. But he was opposed by his enemy the marquess of Hamilton, who deprecated the arming of Scot against Scot, and engaged on his own responsibility to preserve the peace between the Scottish people and their sovereign. His advice prevailed: the royalists in Scotland were ordered to follow him as their leader; and, to keep him true to the royal interest, the higher title of duke was conferred upon him*.

If Hamilton was sincere, he had formed a false notion of his own importance. The Scottish leaders, acting as if they were independent of the sovereign, summoned a convention of estates. The estates met in defiance of the king's prohibition; but, to their surprise and mortification, no commissioner had arrived from the English parliament. National jealousy, the known intolerance of the Scottish kirk, the exorbitant claims set up by the Scottish leaders in the late invasion, contributed to deter many from accepting their new offers of assistance†; and more than two months were suffered to elapse before the commissioners Vane, Armyn, Hatcher,

June 22.

* Clarendon, iv. 624. Guthrie, 127.

† "The jealousy the English have of our nation, beyond all reason, is not well taken. If Mr. Meidrum bring no satisfaction to us quickly as to conformity of church government, it will be a great impediment in their affairs here." Baillie, July 26, i. 372. See also Dalrymple, ii. 144.

July and Darley, with Marshal, a presbyterian, and Nye, an
 20. independent divine, were despatched with full powers to Scotland*. Both the convention of the estates, and the assembly of the kirk had long waited to receive them; their arrival was celebrated as a day of national triumph; Aug.
 27. and the letters which they delivered from the English parliament were read by some with shouts of exultation, by others with tears of joy †.

In the very outset of the negociation two important difficulties occurred. The Scots professed a willingness to take up arms, but sought at the same time to assume the character of mediators and umpires, to dictate the terms of reconciliation, and to place themselves in a condition to extort the consent of the opposite parties. From these lofty pretensions they were induced to descend by the obstinacy of Vane, and the persuasions of Johnston of Wariston, one of their subtlest statesmen: they submitted to act as the allies of the parliament; but required, as an indispensable preliminary, the sanction of the kirk. It was useless to reply that this was a civil and not a religious treaty. The Scots rejoined, that the two houses had always announced the reformation of religion as the chief of their objects; that they had repeatedly expressed their wish of "a nearer union of both churches;" and that in their last letters to the assembly, they had requested the members to aid them with their prayers and influence, to consult with their commissioners, and to send some Scottish ministers to join the English divines assembled at Westminster‡. Under these circumstances Vane and his colleagues could not refuse to admit a deputation from the assem-

* The Scots did not approve of this mission of the independent ministers. "Mr. Marshall will be most welcome; but if Mr. Nye, the head of the independents, be his fellow, we cannot take it well." Baillie, i. 372. They both preached before the assembly. "We heard Mr. Marshall with great contentment. Mr. Nye did not please. He touched neither in prayer or preaching the common business. All his sermon was on the common head of spiritual life, wherein he ran out above all our understandings." Id. 388.

† Baillie, i. 379, 380. Rushworth, v. 467. 470.

‡ Journals, vi. 140.

bly, with Henderson the moderator at its head. He submitted to their consideration the form of a "solemn league and covenant," which should bind the two nations to prosecute the public incendiaries, to preserve the king's life and authority in defence of the true religion and the liberties of both kingdoms, to extirpate popery, prelacy, heresy, schism, and profaneness, and to establish a conformity of doctrine, discipline, and church government throughout the island. This last clause alarmed the commissioners. They knew that, though the majority of the parliamentarians inclined to the presbyterian tenets, there existed among them a numerous and most active party, (and of these Vane himself was among the most distinguished,) who deemed all ecclesiastical authority an invasion of the rights of conscience; and they saw that to introduce an obligation so repugnant to the principles of the latter, would be to provoke an open rupture, and to marshal the two sects in hostile array against each other. But the zeal of the Scottish theologians was inexorable; they refused to admit any opening to the toleration of the independents; and it was with difficulty that they were at last persuaded to intrust the wording of the article to two or three individuals of known and approved orthodoxy. By these it was presented in a new and less objectionable form, clothed in such happy ambiguity of language, as to suit the principles and views of all parties. It provided that the kirk should be preserved in its existing purity, and the church of England "be reformed according to the word of God" (which the independents would interpret in their own sense), and "after the example of the best reformed churches," among which the Scots could not doubt that theirs was entitled to the first place. In this shape, Henderson with an appropriate preface laid the league and covenant before Aug. the assembly; several speakers, admitted into the 17. secret, commended it in terms of the highest praise,

and it was immediately approved without one dissentient voice *.

As soon as the covenant, in its amended shape, had received the sanction of the estates, the most eloquent pens were employed to quicken the flame of enthusiasm.

Aug. 24. The people were informed, in the cant language of the time, 1°. that the controversy in England was between the Lord Jesus and antichrist with his followers; the call was clear; the curse of Meroz would light on all who would not come to help the Lord against the mighty: 2°. that both kirks and kingdoms were in imminent danger; they sailed in one bottom, dwelt in one house, and were members of one body; if either were ruined, the other could not subsist; Judah could not long continue in liberty, if Israel were led away captive: and 3°. that they had now a fair opportunity of advancing uniformity in discipline and worship; the English had already laid the foundation of a good building by casting out that great idol, prelacy; and it remained for the Scots to rear the edifice, and in God's good time to put on the cap-stone. The clergy called on their hearers "to turn to God by fasting and prayer;" a proclamation was issued summoning all the lieges between the ages of sixteen and sixty to appear in arms; and the chief command of the forces was, at the request of the parliament, accepted by Leslie, the veteran general of the covenanters in the last war. He had indeed made a solemn promise to the king, when he was created earl of Leven, never more to bear arms against him; but he now recollected that it was with the reservation, if not expressed, at least understood, of all cases in which liberty or religion might be at stake †.

In England the covenant with some amendments was

* Baillie, i. 381. Clarendon, iii. 368—384.

† Rushworth, v. 472. 482. 492. Journals, 139. 312. Baillie, i. 390, 391. "The chief aim of it was for the propagation of our church discipline in England and Ireland." Id. 393.

approved by the two houses, and ordered to be taken and subscribed by all persons in office, and generally by the whole nation. The commons set the example; the Sept. lords, with an affectation of dignity which exposed them 25. to some sarcastic remarks, waited till it had previously been taken by the Scots. At the same time a league of "brotherly assistance" was negotiated, stipulating that the estates should aid the parliament with an army of 21,000 men; that they should place a Scottish garrison in Berwick, and dismantle the town at the conclu- Nov. sion of the war; and that their forces should be paid by 29. England at the rate of 31,000*l.* per month, should receive for their outfit an advance of 100,000*l.*, besides a reasonable recompence at the establishment of peace, and should have assigned to them as security the estates of the papists, prelates, and malignants in Nottinghamshire, and the five northern counties. On the arrival of 60,000*l.* the levies began; in a few weeks they were completed: and before the end of the year Leslie mustered his forces at Hairlaw, the appointed place of rendezvous*.

This formidable league, this union, cemented by interest and fanaticism, struck alarm into the breasts of the royalists. They had found it difficult to maintain their ground against the parliament alone; they felt unequal to the contest with a new and powerful enemy. But Charles stood undismayed; of a sanguine disposition, and confident in the justice of his cause, he saw no reason to despond; and, as he had long anticipated, so had he prepared to meet this additional evil. With this view he had laboured to secure the obedience of the English army in Ireland against the adherents and emissaries of the parliament. Suspecting the fidelity

* Journals, Sept. 14. 21. 25. Oct. 3. Dec. 8. Lords' Journals, vi. 220—224. 243. 281. 289. 364. The amendments were the insertion of "the church of Ireland" after that of England, an explanation of the word prelate, and the addition of a marginal note, stating, that by the expression "according to the word of God," was meant "so far as we do or shall in our consciences conceive the same according to the word of God." Journals, Sept. 1, 2.

of Leicester, the lord lieutenant, he contrived to detain him in England; gave to the commander-in-chief, the earl of Ormond, who was raised to the higher rank of marquess, full authority to dispose of commissions in the army; appointed sir Henry Tichborne lord justice in
 April 3. the place of Parsons; compelled the commissioners
 Aug. sent by the two houses to leave the island; and at last
 1. obtained an undisputed ascendancy by imprisoning, under a charge of treason, four of the counsellors most hostile to his designs *.

So many reinforcements had successively been poured into Ireland, both from Scotland and England, that the army which opposed the insurgents was at length raised to 50,000 men †: but of these the Scots seemed to attend to their private interests more than the advancement of the common cause; and the English were gradually reduced in number by want, and desertion, and the casualties of war. They won indeed several battles; they burnt and demolished many villages and towns; but the evil of devastation recoiled upon themselves, and they began to feel the horrors of famine in the midst of the desert which they had made. Their applications for relief were neglected by the parliament, which had converted to its own use a great part of the money raised for the service of Ireland, and felt little inclination to support an army attached to the royal cause. The officers remonstrated in free though respectful language, and the failure of their hopes embittered their discontent, and attached them more closely to the sovereign ‡.

In the mean while the catholics, by the establishment of a federative government, had consolidated their power, and given an uniform direction to their efforts. It was the care of their leaders to copy the example given by the Scots, during the successful war of the covenant. Like them they professed a sincere attachment to the

* Carte's Ormond, i. 421. 441. iii. 76. 125. 135.

† Journals, v. 226.

‡ Clarendon, iii. 415—418. 424. Carte's Ormond, iii. 155. 162. 164.

person, a profound respect for the legitimate authority, of the monarch: but like them they claimed the right of resisting oppression, and of employing force in defence of their religion and liberties. At their request, and in imitation of the general assembly of the Scottish kirk, a synod of catholic prelates and divines was convened at Kilkenny; a statement of the grievances which led the 1642. insurgents to take up arms was placed before them; and May they decided that the grounds were sufficient, and the 10. war was lawful, provided it were not conducted through motives of personal interest or hatred, nor disgraced by acts of unnecessary cruelty. An oath and covenant was ordered to be taken, binding the subscribers to protect, at the risk of their lives and fortunes, the freedom of the catholic worship, the person, heirs, and rights of the sovereign, and the lawful immunities and liberties of the kingdom of Ireland, against all usurpers and invaders whomsoever: and excommunication was pronounced against all catholics who should abandon the covenant or assist their enemies, against all who should forcibly detain in their possession the goods of English or Irish catholics, or of Irish protestants not adversaries to the cause, and against all who should take advantage of the war to murder, wound, rob, or despoil others. By common consent a supreme council of twenty-four members was chosen, with lord Mountgarret as president; and a day was appointed for a national assembly, which, without the name, should assume the form, and exercise the rights, of a parliament*.

This assembly gave stability to the plan of government devised by the leaders. The authority of the statute-law was acknowledged, and for its administration a council Oct. was established in each county. From the judgment of 1. this tribunal there lay an appeal to the council of the

* Rushworth, v. 516. *Vindiciæ Cath. Hib.* 4—7. This work has often been attributed to sir Rich. Belling, but Walsh (*Pref. to Hist. of Remonstrance*, 45.) says that the real author was Dr. Callaghan, presented by the supreme council to the see of Waterford.

province, which in its turn acknowledged the superior jurisdiction of "the supreme council of the confederated catholics in Ireland." For the conduct of the war four generals were appointed, one to lead the forces of each province, Owen O'Neil in Ulster, Preston in Leinster, Barry Garret in Munster, and John Burke in Connaught, all of them officers of experience and merit, who had relinquished their commands in the armies of foreign princes, to offer their services to their countrymen. Aware that these regulations amounted to an assumption of the sovereign authority, they were careful to convey to the king new assurances of their devotion to his person, and to state to him reasons in justification of their conduct. Their former messengers, though protestants of rank and acknowledged loyalty, had been arrested, imprisoned, and, in one instance at least, tortured by order of their enemies. They now adopted a more secure channel of communication, and transmitted their petitions through the hands of the commander-in-chief. In these the supreme council detailed a long list of grievances which they prayed might be redressed. They repelled with warmth the imputation of disloyalty or rebellion. If they had taken up arms they had been compelled to it by a succession of injuries beyond human endurance, of injuries in their religion, in their honour and estates, and in the liberties of their country. *Their* enemies were the enemies of the king. The men who had sworn to extirpate them from their native soil were the same who sought to deprive *him* of his crown. They therefore conjured him to summon a new parliament in Ireland, to allow them the free exercise of that religion which they had inherited from their fathers, and to confirm to Irishmen their national rights, as he had already done to his subjects of England and Scotland*.

The very first of these petitions, praying for a cessation of arms, had suggested a new line of policy to the

* Carte, iii. 110, 111. 136.

king *. He privately informed the marquess of Ormond of his wish to employ a portion of the Irish army in England, required him for that purpose to conclude an armistice with the insurgents, and sent him instructions for the regulation of his conduct. This despatch was secret; it was followed by a public warrant; and that was succeeded by a peremptory command. But much occurred to retard the object, and irritate the impatience of the monarch. Ormond, for his own security, and the service of his sovereign, deemed it politic to assume a tone of superiority, and to reject most of the demands of the confederates, who, he saw, were already divided into parties, and influenced by opposite counsels. The ancient Irish and the clergy, whose efforts were directed by Scaramp, a papal envoy, warmly opposed the project. Their enemies, they observed, had been reduced to extreme distress; their victorious army under Preston made daily inroads to the very gates of the capital. Why should they descend from the vantage ground which they had gained? why, without a motive, resign the prize when it was brought within their reach? It was not easy to answer their arguments: but the lords of the pale, attached through habit to the English government, anxiously longed for an armistice as the preparatory step to a peace. Their exertions prevailed. A cessation of arms was concluded for twelve months; and the confederates, to the surprise of their enemies, consented to contribute towards the support of the royal army the sum of 15,000*l.* in money, and the value of 15,000*l.* in provisions †.

1643.
April
23.Sept
15.

* Carte, iii. 99.

† Rushworth, v. 548. Carte, ii. App. 1. iii. 117. 131. 159. 160. 166. 168. 172. 174. No one, I think, who has perused all the documents, can doubt that the armistice was necessary for the preservation of the army in Ireland. But its real object did not escape the notice of the two houses, who voted it "destructive to the protestant religion, dishonourable to the English nation, and prejudicial to the interests of the three kingdoms;" and, to inflame the passions of their partisans, published a declaration in which, with their usual adherence to truth, they assert that the cessation was made at a time when "the famine among the Irish had made them, unnatural and cannibal-like, eat and feed one upon another," that it had been

At the same time Charles had recourse to other expedients, from two of which he promised himself considerable benefit. 1°. It had been the policy of the cardinal Richelieu to foment the troubles in England as he had previously done in Scotland; and his intention was faithfully fulfilled by the French ambassador Senneterre. But in the course of the last year both Richelieu and Louis XIII. died: the regency, during the minority of the young king, devolved on Anne of Austria, the queen-mother; and that princess had always professed a warm attachment for her sister-in-law, Henrietta Maria. Senneterre was superseded by the count of Harcourt, a prince of the house of Lorrain, with the title of ambassador extraordinary. The parliament received him with respect in London, and permitted him to proceed to Oxford. Charles, whose circumstances would not allow him to spend his time in diplomatic finesse, immediately demanded a loan of money, an auxiliary army, and a declaration against his rebellious subjects. But these were things which the ambassador had no power to grant. He escaped with difficulty from the importunity of the king, and returned to the capital to negotiate with the parliament. There, offering himself in quality of mediator, he requested to know the real grounds of the existing war: but his hope of success was damped by this cold and laconic answer, that, when he had any proposal to submit in the name of the French king, the houses would be ready to vindicate their conduct. Soon afterwards the despatches from his court were intercepted and opened; among them was discovered a letter from lord Goring to the queen; and its contents disclosed that Harcourt had been selected on her nomination; that he was ordered to receive his instructions from her and the king; and that Goring was soliciting succour from the French court. This information, with

Oct. 18.
Nov. 15.
22.
1644.
Jan. 10.

devised and carried on by popish instruments, and was designed for the better introduction of popery, and the extirpation of the protestant religion. Journals, vi. 238. 289.

an account of the manner in which it had been obtained, was communicated to the ambassador, who immediately Feb. 12. demanded passports, and left the kingdom *.

2°. Experience had proved to Charles that the very name of parliament possessed a powerful influence over the minds of the lower classes in favour of his adversaries. To dispel the charm he resolved to oppose the loyal members to those who remained at Westminster, and summoned by proclamation both houses to meet him at Oxford on the twenty-second of January in the succeeding year. Forty-three peers and 118 commoners Jan. obeyed †; the usual forms of parliament were observed, 22. and the king opened the session with a gracious speech, in which he deplored the calamities of the kingdom, desired them to bear witness to his pacific disposition, and promised them all the freedom and privileges belonging to such assemblies. Their first measure was a letter subscribed by all the members of both houses, and directed to the earl of Essex, requesting him to convey to those “by whom he was trusted,” their earnest desire 29. that commissioners might be appointed on both sides to treat of an accommodation. Essex, having received instructions, replied that he could not deliver a letter which, neither in its address nor in its contents, acknowledged the authority of the parliament. Charles himself was Mar. next brought forward. He directed his letter to “the 3. “lords and commons of parliament assembled at Westminster,” and requested, “by the advice of the lords “and commons of parliament assembled at Oxford,” the appointment of commissioners to settle the distractions

* Clarendon, *ili.* 398—403. Journals, *vi.* 245. 302. 5. 9. 375. 9. 416. Commons, Sept. 14. Oct. 11. Nov. 15. 22. Jan. 10. 12. Feb. 12.

† If we may believe Whitelock (80), when the two houses at Westminster were called over (Jan. 30) there were 280 members present, and 100 employed on different services. But I suspect some error in the numbers, as the list of those who took the covenant amounts only to 220 names, even including such as took it after that day. (Compare Rushworth, *v.* 480, with the Journals.) The lords were twenty-two present, seventy-four absent, of whom eleven were excused. Journals, *vi.* 387. The two houses at Oxford published also their lists of the members, making the commons amount to 175, the lords to 83. But of the latter several had been created since the commencement of the war.

of the kingdom, and particularly the manner "how all
 "the members of both houses might meet in full and
 "free convention of parliament, to consult and treat
 "upon such things as might conduce to the maintenance
 "of the true protestant religion, with due consideration
 "to the just ease of tender consciences, to the settling
 "of the rights of the crown and of parliament, the laws
 "of the land, and the liberties and property of the sub-
 "ject." This message the two houses considered as an
 insult, because it implied that they were not a full and
 free convention of parliament. In their answer they
 called on the king to join them at Westminster; and in a
 public declaration denounced the proceeding as "a
 "popish and jesuitical practice to allure them by the
 "specious pretence of peace to disavow their own au-
 "thority, and resign themselves, their religion, laws,
 "and liberties, to the power of idolatry, superstition, and
 "slavery*." In opposition the houses at Oxford de-
 clared that the Scots had broken the act of pacification,
 that all English subjects who aided them should be
 deemed traitors and enemies of the state, and that the
 lords and commons remaining at Westminster, who had
 given their consent to the coming in of the Scots, or the
 raising of forces under the earl of Essex, or the making
 and using of a new great seal, had committed high trea-
 son, and ought to be proceeded against as traitors to the
 king and kingdom†. Thus again vanished the prospect

* Journals, vi. 451. 459. The reader will notice in the king's letter an allusion to religious toleration ("with due consideration to the ease of tender consciences"), the first which had yet been made by authority, and which a few years before would have scandalized the members of the church of England as much as it did now the presbyterians and Scots. But policy had taught that which reason could not. It was now thrown out as a bait to the independents, whose apprehensions of persecution were aggravated by the intolerance of their Scottish allies, and who were on that account suspected of having already made some secret overtures to the court. "Bristol, under his hand, gives them a full assurance of so full a liberty of their conscience as they could wish, inveighing withal against the Scots' cruel invasion, and the tyranny of our presbytery, equal to the Spanish inquisition." Baillie, i. 428.

† Clarendon, iii. 440—454. Journals, 399. 404. 451. 459. 484. 485. Dec. 30. Jan. 16. 30. March 6. 11. Rushworth, v. 559—575. 582—602.

of peace ; and both parties, with additional exasperation of mind, and keener desires of revenge, resolved once more to stake their hope of safety on the uncertain fortune of war.

But the leaders at Westminster found it necessary to silence the murmurs of many among their own adherents, whose anxiety for the restoration of peace led them to attribute interested motives to the advocates of war. On the first appearance of a rupture, a committee of safety had been appointed, consisting of five lords and ten commoners, whose office it was to perform the duties of the executive authority, subject to the approbation and authority of the houses ; now that the Scots had agreed to join in the war, this committee, after a long resistance on the part of the lords, was dissolved, Feb. 16. and another established in its place, under the name of the committee of the two kingdoms, composed of a few members from each house, and of certain commissioners from the estates of Scotland *. On this new body the peers looked with an eye of jealousy, and, when the commons, in consequence of unfavourable reports, referred to it the task of "preparing some grounds for settling a just and safe peace in all the king's dominions," they objected, not to the thing, but to the persons, and appointed for the same purpose a different committee. The struggle lasted six weeks : but the April 25. influence of the upper house had diminished with the number of its members, and the lords were compelled to submit under the cover of an unimportant amendment to maintain their own honour. The propositions now 29. brought forward as the basis of a reconciliation were in substance the following : that the covenant with the obligation of taking it, the reformation of religion according to its provisions, and the utter abolition of episcopacy, should be confirmed by act of parliament ; that the cessation of war in Ireland should be declared void

* Journals of Commons, Jan. 30. Feb. 7. 10. 12. 16. Of Lords, Feb. 12. 16.

by the same authority; that a new oath should be framed for the discovery of catholics; that the penalties of recusancy should be strictly enforced; that the children of catholics should be educated protestants; that certain English protestants by name, all papists who had borne arms against the parliament, and all Irish rebels, whether catholics or protestants, who had brought aid to the royal army, should be excepted from the general pardon; that the debts contracted by the parliament should be paid out of the estates of delinquents; and that the commanders of the forces by land and sea, the great officers of state, the deputy of Ireland and the judges, should be named by the parliament, or the commissioners of parliament, to hold their places during their good behaviour. From the tone of these propositions it was evident that the differences between the parties had become wider than before, and that peace depended on the subjugation of the one by the superior force or the better fortune of the other*.

Here the reader may pause, and, before he proceeds to the events of the next campaign, may take a view of the different financial expedients adopted by the contending parties. Want of money was an evil which pressed equally on both; but it was more easily borne by the patriots, who possessed an abundant resource in the riches of the capital, and were less restrained in their demands by considerations of delicacy or justice. 1°. They were able on sudden emergencies to raise considerable supplies by loan from the merchants of the city, who seldom dared to refuse, or, if they did, were compelled to yield by menaces of dstraint and imprisonment. For all such advances interest was promised at

* Journals, March 15. 20. 23. 29. 30. Ap. 3. 5. 13. 16. On the question whether they should treat in union with the Scots, the commons divided 64 against 64: but the noes obtained the casting vote of the speaker. Baillie, i. 446. See also the Journals of the Lords, vi. 473. 483. 491. 501. 514. 519. 527. 531. Such, indeed, was the dissension among them, that Baillie says they would have accepted the first proposal from the houses at Oxford, had not the news that the Scots had passed the Tweed arrived a few hours before. This gave the ascendancy to the friends of war. Baillie, i. 429, 430.

the usual rate of eight per cent., and “the public faith” was pledged for the repayment of the capital.” 2°. When the parliament ordered their first levy of soldiers, many of their partisans subscribed considerable sums in money, or plate, or arms, or provisions. But it was soon asked, why the burthen should fall exclusively on the well-affected; and the houses improved the hint to ordain that all non-subscribers, both in the city and in the country, should be compelled to contribute the twentieth part of their estates towards the support of the common cause. 3°. Still the wants of the army daily increased, and, as a temporary resource, an order was made that each county should provide for the subsistence of the men whom it had furnished; 4°. and this was followed by a more permanent expedient, a weekly assessment of 10,000*l.* on the city of London, and of 24,000*l.* on the rest of the kingdom, to be levied by county-rates, after the manner of subsidies. 5°. In addition, the estates both real and personal of all delinquents, that is, of all individuals who had borne arms for the king, or supplied him with money, or in any manner, or under any pretence, had opposed the parliament, were sequestrated from the owners, and placed under the management of certain commissioners empowered to receive the rents, to seize the moneys and goods, to sue for debts, and to pay the proceeds into the treasury. 6°. In the next place came the excise, a branch of taxation of exotic origin, and hitherto unknown in the kingdom. To it many objections were made; but the ample and constant supply which it promised ensured its adoption; and after a succession of debates and conferences, which occupied the houses during three months, the new duties, which were in most instances to be paid by the first purchaser, were imposed both on the articles already subject to the customs, and on a numerous class of commodities of indigenous growth or manufacture*. Lastly, in aid of these

* It should be observed that the excise in its very infancy extended to

several sources of revenue, the houses did not refuse another of a more singular description. It was customary for many of the patriots to observe a weekly fast for the success of their cause; and, that their purses might not profit by the exercise of their piety, they were careful to pay into the treasury the price of the meal from which they had abstained. If others would not fast, it was at least possible to make them pay; and commissioners were appointed by ordinance to go through the city, to rate every house-keeper at the price of one meal for his family, and to collect the money on every Tuesday during the next six months. By these expedients the two houses contrived to carry on the war, though their pecuniary embarrassments were continually multiplied by the growing accumulation of their debts, and the unavoidable increase of their expenditure*.

With respect to the king, his first resource was in the sale of his plate and jewels, his next in the generous devotion of his adherents, many of whom served him during the whole war at their own cost, and, rather than become a burthen to their sovereign, mortgaged their last acre, and left themselves and their families without the means of future subsistence. As soon as he had set up his standard, he solicited loans from his friends, pledging his word to requite their promptitude, and allotting certain portions of the crown lands for their repayment—a very precarious security as long as the issue of the contest should remain uncertain. But the appeal was not made in vain. Many advanced considerable sums without reserving to themselves any claim to remuneration, and others lent so freely and abundantly,

strong beer, ale, cider, perry, wine, oil, figs, sugar, raisins, pepper, salt, silk, tobacco, soap, strong waters, and even flesh meat, whether it were exposed for sale in the market, or killed by private families for their own consumption. *Journals*, vi. 372.

* *Ibid.* v. 460. 466. 482., vi. 103. 196. 209. 224. 248. 250. 272. *Commons' Journals*, Nov. 26. Dec. 8. 1642. Feb. 23. Sept. 1643. March 26, 1644. Rushworth. v. 71. 150. 209. 313. 748. It should be recollected that, according to the devotion of the time, "a fast required a total abstinence " from all food, till the fast was ended." *Directory for the publicus worship*, p. 32.

that this resource was productive beyond his most sanguine expectations. Yet, before the commencement of the third campaign, he was compelled to consult his parliament at Oxford. By its advice he issued privy seals, which raised 100,000*l.*, and, in imitation of his adversaries, established the excise, which brought him in a constant, though not very copious supply. In addition, his garrisons supported themselves by weekly contributions from the neighbouring townships, and the counties which had associated in his favour willingly furnished pay and subsistence to their own forces. Yet, after all, it was manifest that he possessed not the same facilities of raising money with his adversaries, and that he must ultimately succumb through poverty alone, unless he could bring the struggle to a speedy termination*.

For this purpose both parties had made every exertion, and both Irishmen and Scotsmen had been called into England to fight the battles of the king and the parliament. The severity of the winter afforded no respite from the operations of war. Five Irish regiments, the first fruits of the cessation in Ireland, arrived at Mostyn in Flintshire; their reputation, more 1643.
than their number, unnerved the prowess of their Nov.
enemies; no force ventured to oppose them in the field; and, as they advanced, every post was abandoned or surrendered. At length the garrison of Nantwich arrested their progress; and, whilst they were occu- 1644.
pied with the siege, sir Thomas Fairfax approached Jan.
with a superior force from Yorkshire. For two hours 15.
the Anglo-Irish, under lord Byron, maintained an ob- 25.
stinate resistance against the assailants from without, and the garrison from within the town; but in a moment of despair 1600 men in the works threw down their arms, and, with a few exceptions, entered the

* Rushworth, v. 580. 601. Clarendon, ii. 87. 453.

ranks of their adversaries. Among the names of the officers taken occurs that of the celebrated colonel Monk, who was afterwards released from the Tower to act a more brilliant part, first in the service of the commonwealth, and then in the re-establishment of the throne*.

- Jan. A few days before this victory the Scots had passed
 16. the Tweed. The notion that they were engaged in a holy crusade for the reformation of religion made them despise every difficulty; and, though the weather was tempestuous, though the snow lay deep on the ground, their enthusiasm carried them forward in a mass which the royalists dared not oppose. Their leader sought to surprise Newcastle: he was disappointed by the promptitude of the marquess of Newcastle, who, on the preceding day, had thrown himself into the town; and
 Feb. 2. famine compelled the enemy, after a siege of three
 28. weeks, to abandon the attempt. Marching up the left
 Mar. 2. bank of the Tyne, they crossed the river at Bywell, and,
 4. hastening by Ebchester to Sunderland, took possession of that port to open a communication by sea with their own country. The marquess, having assembled his army, offered them battle; and, when they refused to fight, confined them for five weeks within their own quarters. In proportion as their advance into England had elevated the hopes of their friends in the capital, their subsequent inactivity provoked surprise and complaints.
- April But lord Fairfax, having been joined by his victorious
 11. son from Cheshire, dispersed the royalists at Leeds, under colonel Bellasis, the son of lord Falconberg; and
 13. the danger of being enclosed between two armies induced the marquess of Newcastle to retire from Durham
 20. to York. He was quickly followed by the Scots; they were joined by Fairfax, and the combined army sat down before the city. Newcastle at first despised their attempts; but the arrival of the earl of Manchester, at

* Rush. v 299. 303. Fairfax, 434. Ed. of Maseres.

the head of 14,000 men, convinced him of his danger, June and he earnestly solicited succour from the king *. 3.

But, instead of proceeding with the military transactions in the north, it will here be necessary to advert to those which had taken place in other parts of the kingdom. In the counties on the southern coast several actions had been fought, of which the success was various, and the result unimportant. Every eye fixed itself on the two grand armies in the vicinity of Oxford and London. The parliament professed a resolution to stake the fortune of the cause on one great and decisive battle; and, with this view, every effort was made to raise the forces of Essex and Waller to the amount of 20,000 men. These generals marched in two separate corps, with the hope of enclosing the king, or of besieging him in Oxford†. Aware of his inferiority, Charles, by a skilful manœuvre, passed with 7000 men between the hostile divisions, and arrived in safety at Worcester. The jealousy of the commanders did not allow them to act in concert. Essex directed his march into Dorsetshire; Waller took on himself the task of pursuing the fugitive monarch. Charles again deceived him. He pretended to advance along the right bank of the Severn from Worcester to Shrewsbury; and when Waller, to prevent him, hastened from Broomsgrove to take possession of that town, the king turned at Bewdley, retraced his steps to Oxford, and, recruiting his army, beat up the enemy's quarters in Buckinghamshire. In

* Rushworth, v. 222. Baillie, ii. 1. 6. 10. 28. 32. Journals, 522.

† When Essex left Loudon he requested the assembly of divines to keep a fast for his success. The reader may learn from Baillie how it was celebrated. "We spent from nine to five graciously. After D. Twisse had begun with a brief prayer, Mr. Marshall prayed large two hours, most divinely confessing the sins of the members of the assembly in a wonderful, pathetick, and prudent way. After Mr. Arrowsmith preached an hour, then a psalm; thereafter Mr. Vines prayed near two hours, and Mr. Palmer preached an hour, and Mr. Seaman prayed near two hours, then a psalm; after Mr. Henderson brought them to a sweet confession of the heat confessed in the assembly, and other seen faults to be remedied, and the conveniency to preach against all sects, especially anabaptists and antinomians. Dr. Twisse closed with a short prayer and blessing. God was so evidently in all this exercise, that we expect certainly a blessing." Baillie, ii. 18, 19.

two days Waller had returned to the Charwell, which separated the two armies; but an unsuccessful action at Copredy bridge checked his impetuosity, and Charles, June 29. improving the advantage to repass the river, marched to Evesham in pursuit of Essex. Waller did not follow: his forces, by fatigue, desertion, and his late loss, had been reduced from 8000 to 4000 men, and the committee of the two kingdoms recalled their favourite general from his tedious and unavailing pursuit*.

During these marches and countermarches, in which the king had no other object than to escape from his pursuers, in the hope that some fortunate occurrence might turn the scale in his favour, he received despatches from the marquess of Newcastle. The ill-fated prince instantly saw the danger which threatened him. The fall of York would deprive him of the northern counties, and the subsequent junction of the besieging army with his opponents in the south would constitute a force against which it would be useless to struggle. His only resource was in the courage and activity of prince 14. Rupert. He ordered that commander to collect all the force in his power, to hasten into Yorkshire, to fight the enemy, and to keep in mind that two things were necessary for the preservation of the crown,—both the relief of the city and the defeat of the combined army†.

Rupert early in the spring had marched from his quarters at Shrewsbury, surprised the parliamentary Mar. 21. army before Newark, and after a sharp action compelled May 25. it to capitulate. He was now employed in Cheshire and Lancashire, where he had taken Stockport, Bolton, June. and Liverpool, and had raised the siege of Latham-house, 11. after it had been gallantly defended during eighteen weeks by the resolution of the countess of Derby. On the receipt of the royal command, he took with him a

* Rushworth, v. 670—676. Clarendon, iv. 487—493. 497—502. Baillie, ii. 38.

† See his letter in Evelyn's memoirs, ii. App. 88. It completely exculpates Rupert from the charge of obstinacy and rashness in having fought the subsequent battle of Marston-moor.

portion of his own men, and some regiments lately arrived from Ireland; reinforcements poured in on his march, and on his approach the combined army deemed it prudent to abandon the works before the city. He July was received with acclamations of joy: but left York the 1. next day to fight the bloody and decisive battle of Marston-moor*. Both armies, in accordance with the military tactics of the age, were drawn up in line, the infantry in three divisions, with strong bodies of cavalry on each flank. In force they were nearly equal, amounting to twenty-three or twenty-five thousand men: but there was this peculiarity in the arrangement of the parliamentarians, that in each division the English and the Scots were intermixed, to preclude all occasion of jealousy or dispute. It was now five in the afternoon, and for two hours a solemn pause ensued, each eyeing the other in the silence of suspense with nothing to separate them but a narrow ditch or rivulet. At seven the signal was given, and Rupert, at the head of the royal cavalry on the right, charged with his usual impetuosity and with the usual result. He bore down all before him, chased the fugitives to the distance of some miles, and thus, by his absence from the field, suffered the victory to slip out of his hands†.

At the same time the royal infantry, under Goring, Lucas, and Porter, had charged their opponents with equal intrepidity and equal success. The line of the confederates was pierced in several points; and their generals, Manchester, Leven, and lord Fairfax, convinced that the day was lost, fled in different directions. By their flight the chief command devolved upon Cromwell, who improved the opportunity to win for himself the laurels of victory. With "his ironsides" and the Scottish horse, he had driven the royal cavalry, under the earl of Newcastle, from their position on the left. Ordering a few squadrons to observe and harass the fugitives, he

* Rushworth, v. 307. 623. 631.

† Sir Thomas Fairfax says that at first he put to flight part of the royal cavalry, and pursued them on the road to York. On his return he found that the rest of his wing had been routed by the prince. Fairfax, 438.

wheeled round on the flank of the royal infantry, and found them in separate bodies, and in disorder, indulging in the confidence and license of victory. Regiment after regiment was attacked and dispersed: but the "white coats," a body of veterans raised by lord Newcastle, formed in a circle: and, whilst their pikemen kept the cavalry at bay, their musqueteers poured repeated volleys into the ranks of the enemy. Had these brave men been supported by any other corps, the battle might have been restored: but, as soon as their ammunition was spent, an opening was made, and the white coats perished, every man falling on the spot on which he had fought.

Thus ended the battle of Marston-moor. It was not long, indeed, before the royal cavalry, amounting to 3000 men, made its appearance returning from the pursuit. But the aspect of the field struck dismay into the heart of Rupert. His thoughtless impetuosity was now exchanged for an excess of caution; and after a few skirmishes he withdrew. Cromwell spent the night on the spot: but it was to him a night of suspense and anxiety. His troopers were exhausted with the fatigue of the day; the infantry was dispersed and without orders in the neighbourhood: and he expected every moment a nocturnal attack by Rupert, who had it in his power to collect a sufficient force from the several corps of royalists, which had suffered little in the battle. But the morning brought him the pleasing intelligence that the prince had hastened by a circuitous route to York. The immediate fruit of the victory were fifteen hundred prisoners and the whole train of artillery. The several loss of the two parties is unknown; those who buried the slain numbered the dead bodies at four thousand one hundred and fifty*.

* For this battle see Rushworth, v. 632., Thurloe, i. 39., Clarendon, iv. 503., Baillie, ll. 36. 40., Whitelock, 89., *Memorie of the Somervilles*. Edio. 1815. Cromwell sent messengers from the field to recall the three generals who had fled. Leven was in bed at Leeds about noon: and, having read the despatch, struck his breast, exclaiming, "I would to God I had died upon the place." Ibid. Also Turner, *Memoirs*, 38.

This disastrous battle extinguished the power of the royalists in the northern counties. The prince and the marquess had long cherished a deeply-rooted antipathy to each other. It had displayed itself in a consultation respecting the expediency of fighting; it was not probable that it would be appeased by their defeat. They separated the next morning: Rupert, hastening to quit a place where he had lost so gallant an army, returned to his former command in the western counties; Newcastle, whether he despaired of the royal cause, or was actuated by a sense of injurious treatment, taking with him the lords Falconberg and Widingington, sought an asylum on the continent. York, abandoned to its fate, opened its gates to the enemy, on condition that the citizens should not be molested, and that the garrison should retire to Skipton. The combined army immediately separated by order of the committee of both kingdoms. Manchester returned into Nottinghamshire. Fairfax remained in York, and the Scots under Leslie, retracing their steps, closed the campaign with the reduction of Newcastle. They had no objection to pass the winter in the neighbourhood of their own country; the parliament felt no wish to see them nearer to the English capital*.

In the mean time Essex, impatient of the control exercised by that committee, ventured to act in opposition to its orders, and the two houses, though they reprimanded him for his disobedience, allowed him to pursue the plan which he had formed of dissolving with his army the association of royalists in Somersetshire, Devonshire, and Cornwall. He relieved Lime, which had long been besieged by prince Maurice, one of the king's nephews, and advanced in the direction of Exeter, where the queen a few days before had been delivered of a daughter. That princess, weary of the dangers to which she was exposed in England, repaired to Falmouth, put to sea with a squadron of ten Dutch or Flemish vessels, and, escap-

June
15.
16.
July
14.

* Clarendon, ii. 504.

- July 15. ing the keen pursuit of the English fleet from Torbay, reached in safety the harbour of Brest *.
- June 26. Essex, regardless of the royalists who assembled in the rear of his army, pursued his march into Cornwall. To most men his conduct was inexplicable. Many suspected that he sought to revenge himself on the parliament by betraying his forces into the hands of the enemy,
- Aug. 6. At Lestwithiel he received two letters, one, in which he was solicited by the king to unite with him in compelling his enemies to consent to a peace, which, while it ascertained the legal rights of the throne, might secure the religion and liberties of the people; another from eighty-four of the principal officers in the royal army, who pledged themselves to draw the sword against the sovereign himself, if he should ever swerve from the principles which he had avowed in his letter. Both were disappointed. Essex sent the letters to the two houses, and coldly replied that his business was to fight, that of the parliament to negotiate.

30. But he now found himself in a most critical situation, cut off from all intercourse with London, and enclosed between the sea and the combined forces of the king, prince Maurice, and sir Richard Grenville. His cavalry, unable to obtain subsistence, burst in the night, though not without loss, through the lines of the enemy. But each day the royalists won some of his posts; their artillery commanded the small haven of Foy, through which alone he could obtain provisions; and his men, dismayed by a succession of disasters, refused to stand to their colours. In this emergency Essex, with two other

* I doubt whether Essex had any claim to that generosity of character which is attributed to him by historians. The queen had been delivered of a princess, Henrietta Maria, at Exeter, and sent to him for a passport to go to Bath or Bristol for the recovery of her health. He refused, but insultingly offered to attend her himself, if she would go to London, where she had been already impeached of high treason. Rushworth, v. 684. I observe that even before the war, when the king had written to the queen to intimate his wish to Essex, as lord chamberlain, to prepare the palace for his reception, she desired Nicholas to do it, adding, "their lordships are to great princes to receive any direction from me." Evelyn's Mem. ii. App. 78.

officers, escaped from the beach in a boat to Plymouth ; and major-general Skippon offered to capitulate for the rest of the army. On the surrender of their arms, Sept. ammunition, and artillery, the men were allowed to 1. march to Pool and Wareham, and thence were conveyed in transports to Portsmouth, where commissioners from the parliament met them with a supply of clothes and money. The lord general repaired to his own house, calling for an investigation both into his own conduct and into that of the committee, who had neglected to disperse the royalists in the rear of his army, and had betrayed the cause of the people, to gratify their own jealousy by the disgrace of an opponent. To soothe his wounded mind, the houses ordered a joint deputation to wait on him, to thank him for his fidelity to the cause, and to express their estimation of the many and eminent services which he had rendered to his country *.

This success elevated the hopes of the king, who, assuming a tone of conscious superiority, invited all his subjects to accompany him to London, and aid him in compelling the parliament to accept of peace. But the 30. energies of his opponents were not exhausted. They quickly recruited their diminished forces: the several corps under Essex, Waller, and Manchester united; and, while the royalists marched through Whitechurch to Newbury, a more numerous army moved in a parallel direction through Basingstoke to Reading. There the leaders (the lord general was absent under pretence of indisposition), hearing of reinforcements pouring into Oxford, resolved to avail themselves of their present su- Oct. periority, and to attack, at the same moment, the royalist 27. positions at Show on the eastern, and at Spēen on the western side of the town. The action in both places was obstinate, the result, as late as ten at night, doubtful: but the king, fearing to be surrounded the next day, assembled his men under the protection of Dennington castle, and marched towards Wallingford, a movement Nov.

* Rushworth, v. 683, 4. 690—3. 699—711. Clarend. iv. 511—518—527

Nov. which was executed without opposition by the light of the moon, and in full view of the enemy. In a few days he returned with a more numerous force, and, receiving the artillery and ammunition, which for security he had left in Dennington castle, conveyed it without molestation to Wallingford. As he passed and repassed, the parliamentarians kept within their lines, and even refused the battle which he offered. This backwardness, whether it arose from internal dissension, or from inferiority of numbers, provoked loud complaints, not only in the capital, where the conflict at Newbury had been celebrated as a victory, but in the two houses, who had ordered the army to follow up its success. The generals, having dispersed their troops in winter quarters, hastened to vindicate their own conduct. Charges of cowardice, or disaffection, or incapacity, were made and retorted by one against the other; and that cause which had nearly triumphed over the king seemed now on the point of being lost through the personal jealousies and contending passions of its leaders*.

The greater part of these quarrels had originated in the rivalry of ambition: but those in the army of the earl of Manchester were produced by religious jealousy, and on that account were followed by more important results. When the king attempted to arrest the five members, Manchester, at that time lord Kymbolton, was the only peer whom he impeached. This circumstance endeared Kymbolton to the party; his own safety bound him more closely to its interests. On the formation of the army of the seven associated counties, he accepted, though with reluctance, the chief command: for his temper and education had formed him to shine in the senate rather than the camp; and, aware of his own inexperience, he devolved on his council the chief direction of military operations, reserving to himself the delicate and important charge of harmonizing and keeping together the discordant elements of which his force was

* Rushworth, v. 715—732. Clarendon, 546—552.

composed. The second in command was Cromwell, with the rank of lieutenant-general. That fortunate adventurer, the first cousin and faithful follower of Hampden, had served in the last parliament for Huntingdon, and sat in the present as representative of Cambridge. He was a bold, though not a frequent speaker. The courtiers ridiculed the homeliness of his dress, the sharpness of his voice, and the inelegance of his manners: but Cromwell could always command the attention of the house by the originality of his views and "the fervour of his eloquence." At the commencement of the war he hastened to raise troops in the eastern counties, and was soon at the head of a regiment of cavalry, all of them freeholders or the sons of freeholders, soldiers from a sense of duty, and enthusiasts both in religion and politics*. Though he freely associated with his men, he never forfeited their attachment or obedience; he prayed and fought at their head; and by his courage, and decision, and good fortune, was soon distinguished as one of the most promising among the parliamentary officers. It has been said that he was a dissembler from the beginning, who sought to conceal the workings of his ambition under the affectation of superior piety. But I can discover no sufficient ground for the charge. To me he appears to have felt that religious fanaticism which he so fearlessly displayed, and to have owed his first rise towards greatness more to his zeal in the cause, and the native energy of his mind, than to any views of personal interest or aggrandizement.

In the parade of sanctity both Manchester and Cromwell seemed equal proficient: in belief and practice they followed two opposite parties. The first sought the exclusive establishment of the presbyterian system; the other contended for the common right of mankind to worship God according to the dictates of conscience. But this difference of opinion provoked no dissension

between them. The more gentle and accommodating temper of Manchester was awed by the superior genius of Cromwell, who gradually acquired the chief control of the army, and offered his protection to the independents under his command. In other quarters these religionists suffered restraint and persecution from the zeal of the presbyterians: the indulgence which they enjoyed under Cromwell scandalized and alarmed the orthodoxy of the Scottish commissioners, who obtained, as a counterpoise to the influence of that officer, the post of major-general for Crawford, their countryman, and a rigid presbyterian. Cromwell and Crawford instantly became rivals and enemies. The merit of the victory at Marston-moor had been claimed by the independents, who magnified the services of their favourite commander, and ridiculed the flight and cowardice of the Scots. Crawford retorted the charge, and deposed that Cromwell, having received a slight wound in the neck at the commencement of the action, immediately retired and did not afterwards appear in the field. The lieutenant-general in revenge exhibited articles against Crawford before the committee of war, and the colonels

Sept. 5. threatened to resign their commissions unless he were removed; while on the other hand Manchester and the chaplains of the army gave testimony in his favour, and the Scottish commissioners, assuming the defence of their countryman, represented him as a martyr in the cause of religion*.

But before this quarrel was terminated a second of greater importance arose. The indecisive action at Newbury, and the refusal of battle at Dennington, had excited the discontent of the public the lower house ordered an inquiry into the conduct of the generals and the state of the armies; and the report made by the committee of both kingdoms led to a vote that a plan for the organization of the national force, in a new and more efficient form, should be immediately prepared.

* Baillie, ii. 40, 41, 42. 49. 57. 60. 66. 69. Hollis, 15.

Waller and Cromwell, who were both members of the house, felt dissatisfied with the report. At the next meeting each related his share in the transactions, which had excited such loud complaints; and the latter embraced the opportunity to prefer a charge of disaffection against the earl of Manchester, who, he pretended, was unwilling that the royal power should suffer additional humiliation, and on that account would never permit his army to engage, unless it were evidently to its disadvantage. Manchester in the house of lords repelled the imputation with warmth, vindicated his own conduct, and retorted on his accuser, that he had yet to learn in what place lieutenant-general Cromwell with his cavalry had posted himself on the day of battle *. Nov. 25.

It is worthy of remark that, even at this early period, Essex, Manchester, and the Scottish commissioners suspected Cromwell with his friends of a design to obtain the command of the army, to abolish the house of lords, divide the house of commons, dissolve the covenant between the two nations, and erect a new government according to his own principles. To defeat this project it was at first proposed that the chancellor of Scotland should denounce him as an incendiary, and demand his punishment according to the late treaty; but, on the reply of the lawyers whom they consulted, that their proofs were insufficient to sustain the charge, it was resolved that Manchester should accuse him before the lords of having expressed a wish to reduce the peers to the state of private gentlemen; of having declared his readiness to fight against the Scots, whose chief object was to establish religious despotism; and of having threatened to compel, with the aid of the independents, both king and parliament to accept such conditions as he should dictate. This charge, with a written statement by Manchester in his own vindication, was com-

* Rushworth, v. 732. Journals, Nov. 22, 23. 25. Lords' Journals, vii, 67. 78. 80. 141. Whitelock, 116.

- Dec. municated to the commons; and they, after some objections in point of form and privilege, referred it to a committee, where its consideration was postponed from
 2. time to time, till at last it was permitted to sleep in silence*.

- Cromwell did not hesitate to wreak his revenge on Essex and Manchester, though the blow would probably
 9. recoil upon himself. He proposed in the commons what was afterwards called the "self-denying ordinance," that the members of both houses should be excluded from all offices whether civil or military. He would not, he said, reflect on what was past, but suggest a remedy for the future. The nation was weary of the war: and he spoke the language both of friends and foes, when he said that the blame of its continuance rested with the two houses, who could not be expected to bring it to a speedy termination, as long as so many of their members derived from military commands wealth and authority, and consideration. His real object was open to every eye: still the motion met with the concurrence of his own party, and of all whose patience had been exhausted by the quarrels among the commanders; and, when an exemption was suggested in
 17. favour of the lord-general, it was lost on a division by seven voices, in a house of one hundred and ninety-three members. However, the strength of the opposition encouraged the peers to speak with more than their
 21. usual freedom. They contended that the ordinance was unnecessary, since the committee was employed in framing a new model for the army; that it was unjust, since it would operate to the exclusion of the whole peerage from office, while the commons remained equally eligible to sit in parliament, or to fill civil or military employments. It was in vain that the lower house remonstrated. The lords replied that they had thrown

* Baillie, ii. 76, 77. Journals, Dec. 2. 4. Jan. 18. Lords' Journals, 79. 80. Whitelock, 116, 117. Hollis, 18.

out the bill, but would consent to another of similar im- 1645.
port, provided it did not extend to commands in the Jan.
army *. 15.

But by this time the committee of both kingdoms 9.
had completed their plan of military reform, which in
its immediate operation tended to produce the same
effect as the rejected ordinance. It obtained the sanc-
tion of the Scottish commissioners, who consented,
though with reluctance, to sacrifice their friends in the
upper house, for the benefit of a measure which pro-
mised to put an end to the feuds and delays of the former
system, and to remove from the army Cromwell, their
most dangerous enemy. If it deprived them of the
talents of Essex and Manchester, which they seem never
to have prized, it gave them in exchange a commander-
in-chief, whose merit they had learned to appreciate 21.
during his service in conjunction with their forces at
the siege of York. By the "new model" it was proposed
that the army should consist of 1000 dragoons, 6600
cavalry in six, and 14,400 infantry in twelve regiments,
under sir Thomas Fairfax, as the first, and major-
general Skippon, as the second, in command. The
lords hesitated: but after several conferences and de- Feb.
bates they returned it with a few amendments to the 15.
commons, and it was published by sound of drum in
London and Westminster †.

This victory was followed by another. Many of the
peers still clung to the notion that it was intended to
abolish their privileges. They resolved not to sink
without a struggle: they insisted that the new army
should take the covenant, and subscribe to the directory
for public worship; they refused their approbation to
more than one half of the officers named by sir
Thomas Fairfax; and they objected to the addi-
tional powers offered by the commons to that general.

* Journals, Dec. 9. 17. Jan. 7. 10. 13. Lords' Journals, 129. 131. 4. 5.
Rushworth vi. 3—7.

† Journals, Jan. 9. 13. 25. 27. Feb. 11. 15. Of Lords, 159. 175. 169. 193.
5. 204. Clarendon, ii. 569.

On these subjects the divisions in the house were nearly equal, and, whenever the opposite party obtained the majority, it was by the aid of a single proxy, or of the clamours of the mob. At length a declaration was made
 Mar. by the commons, that "they held themselves obliged to
 25. "preserve the peerage with the rights and privileges
 "belonging to the house of peers equally as their own,
 "and would really perform the same." Relieved from their fears, the lords yielded to a power which they knew not how to control; the different bills were passed, and among them a new self-denying ordinance, by
 April which every member of either house was discharged
 3. from all civil and military offices, conferred by authority of parliament, after the expiration of forty days*.

Hitherto I have endeavoured to preserve unbroken the chain of military and political events: it is now time to call the attention of the reader to the ecclesiastical occurrences of the two last years.

I°. As religion was acknowledged to be the first of duties, to put down popery and idolatry, and to purge the church from superstition and corruption, had always been held out by the parliament as its grand and most important object. It was this which, in the estimation of many of the combatants, gave the chief interest to the quarrel; this which made it, according to the language of the time, "a wrestle between Christ and antichrist."

1°. Every good protestant had been educated in the deepest horror of popery; there was a magic in the very word, which awakened the prejudices and inflamed the passions of men; and the reader must have observed with what art and perseverance the patriot leaders employed it to confirm the attachment and quicken the efforts of their followers. Scarcely a day occurred in which some order or ordinance, local or general, was not issued by the two houses; and very few of these, even on the most indifferent subjects, were permitted to pass without the assertion that the war had been originally

* Journals, Feb. 25. March 21. Of Lords, 287. 303.

provoked and was still continued by the papists, for the sole purpose of the establishment of popery on the ruins of protestantism. The constant repetition acted on the minds of the people as a sufficient proof of the charge, and the denials, the protestations, the appeals to heaven made by the king, were disregarded and condemned as unworthy artifices, adopted to deceive the credulous and unwary. Under such circumstances the catholics found themselves exposed to insult and persecution wherever the influence of the parliament extended: for protection they were compelled to flee to the quarters of the royalists, and to fight under their banners; and this again confirmed the prejudice against them, and exposed them to additional obloquy and punishment.

But the chiefs of the patriots, while for political purposes they pointed the hatred of their followers against the catholics, appear not to have delighted unnecessarily in blood. They ordered, indeed, searches to be made for catholic clergymen; they offered and paid rewards for their apprehension, and they occasionally gratified the zealots with the spectacle of an execution. The priests who suffered death in the course of the war amounted on an average to three for each year, a small number, if we consider the agitated state of the public mind during that period*. But it was the property of the lay catholics which they chiefly sought, pretending that, as the war had been caused by their intrigues, its expenses ought to be defrayed by their forfeitures. It was ordained that two-thirds of the whole estate, both real and personal, of every papist, should be seized and

* Journals, vi. 133. 254. See their Memoirs in Challoner; ii. 209—319. In 1643, after a solemn fast, the five chaplains of the queen were apprehended and sent to France, their native country, and the furniture of her chapel at Somerset house was publicly burnt. The citizens were so edified with the sight that they requested and obtained permission to destroy the gilt cross in Cheapside. The lord mayor and aldermen graced the ceremony with their presence, and "antichrist" was thrown into the flames, while the bells of St. Peter's rang a merry peal, the city waits played melodious tunes on the leads of the church, the train bands discharged volleys of musquetry, and the spectators celebrated the triumph with acclamations of joy. Parl. Chron. 294. 327.

sold for the benefit of the nation ; and that by the name of papist should be understood all persons who, within a certain period, had harboured any priest, or had been convicted of recusancy, or had attended at the celebration of mass, or had suffered their children to be educated in the catholic worship, or had refused to take the oath of abjuration ; an oath lately devised, by which all the distinguishing tenets of the catholic religion were specifically renounced*.

II. A still more important object was the destruction of the episcopal establishment, a consummation most devoutly wished by the saints, by all who objected to the ceremonies in the liturgy, or had been scandalized by the pomp of the prelates, or had smarted under the inflictions of their zeal for the preservation of orthodoxy. It must be confessed that these prelates, in the season of prosperity, had not borne their faculties with meekness ; that the frequency of prosecutions in the ecclesiastical courts had produced irritation and hatred ; and that punishments had been often awarded rigorous beyond the measure of the offence. But the day of retribution arrived. Episcopacy was abolished ; an impeachment, suspended over the heads of most of the bishops, kept them in a state of constant apprehension ; and the inferior clergy, wherever the parliamentary arms prevailed, suffered all those severities which they had formerly inflicted on their dissenting brethren. Their enemies accused them of immorality or malignancy ; and the two houses invariably sequestered their livings, and assigned the profits to other ministers, whose sentiments accorded better with the new standard of orthodoxy and patriotism admitted at Westminster.

The same was the fate of the ecclesiastics in the two universities, which had early become objects of jealousy and vengeance to the patriots. They had for more than a century inculcated the doctrine of passive obedience, and since the commencement of the war had more than

* Journals, Aug. 17, 1643. Collection of Ordinances, 22.

once advanced considerable sums to the king. Oxford, indeed, enjoyed a temporary exemption from their control; but Cambridge was already in their power, and a succession of feuds between the students and the townsmen afforded a decent pretext for their interference. Soldiers were quartered in the colleges; the painted windows and ornaments of the churches were demolished; and the persons of the inmates were subjected to insults and injuries. In January, 1644, an ordinance passed 1644. for the reform of the university; and it was perhaps for- Jan. tunate that the ungracious task devolved in the first in- 22. stance on the military commander, the earl of Manchester, who to a taste for literature added a gentleness of disposition averse from acts of severity. Under his superintendence the university was "purified;" and ten heads of houses, with sixty-five fellows, were expelled. Manchester confined himself to those who, by their hostility to the parliament, had rendered themselves conspicuous, or through fear had already abandoned their stations: but after his departure the meritorious undertaking was resumed by a committee, and the number of expulsions was carried to two hundred*. Thus the establishment gradually crumbled away; part after part was detached from the edifice; and the reformers hastened to raise what they deemed a more scriptural fabric on the ruins. In the month of June, 1643, one hundred and twenty individuals selected by the lords and commons, under the denomination of pious, godly, and judicious divines, were summoned to meet at Westminster; and, that their union might bear a more correct resemblance to the assembly of the Scottish kirk, thirty laymen, ten lords and twenty commoners, were voted additional members. The two houses prescribed the form of the meetings and the subject of the debates: they enjoined an oath to be taken at admission, and the obligation of secrecy till each question should be determined;

* Journals of Lords, vi. 389. Of Commons, Jan. 20, 1644. Neal, i. iii. c. 3. Walker, i. 112. Querela Cantab. in Merc. Rust. 178—210.

and they ordained that every decision should be laid before themselves, and considered of no force until it had been confirmed by their approbation*.

Of the divines summoned a portion was composed of episcopalians; and these, through motives of conscience or loyalty, refused to attend: the majority consisted of puritan ministers, anxious to establish the calvinistic discipline and doctrine of the foreign reformed churches; and to these was opposed a small but formidable band of independent clergymen, who, under the persecution of archbishop Laud, had formed congregations in Holland, but had taken the present opportunity to return from exile, and preach the gospel in their native country. The point at issue between these two parties was one of the first importance, involving in its result the great question of liberty of conscience. The presbyterians sought to introduce a gradation of spiritual authorities in presbyteries, classes, synods, and assemblies, giving to these several judicatories the power of the keys, that is, of censuring, suspending, depriving, and excommunicating delinquents. They maintained that such a power was essential to the church; that to deny it was to rend into fragments the seamless coat of Christ, to encourage disunion and schism, and to open the door to every species of theological war. On the other hand their adversaries contended that all congregations of worshippers were co-ordinate and independent; that synods might advise, but could not command; that multiplicity of sects must necessarily result from the variableness of the human judgment, and the obligation of worshipping God according to the dictates of conscience; and that religious toleration was the birthright of every human being, whatever were his speculative creed or the form of worship which he preferred†.

The weight of number and influence was in favour of

* Journals, vi. 114. 254. Commons, 1643. May 13. June 16. July 6. Sept. 14. Rush. v. 337. 339.

† Baillie, i. 420. 431. ii. 15. 24. 37. 43. 61.

the presbyterians. They possessed an overwhelming majority in the assembly, the senate, the city, and the army ; the solemn league and covenant had enlisted the whole Scottish nation in their cause ; and the zeal of the commissioners from the kirk, who had also seats in the assembly, gave a new stimulus to the efforts of their English brethren. The independents, on the contrary, were few, and could only compensate the paucity of their number by the energy and talents of their leaders. They never exceeded a dozen in the assembly ; but these were veteran disputants, eager, fearless, and persevering, whose attachment to their favourite doctrines had been riveted by persecution and exile, and who had not escaped from the intolerance of one church to submit tamely to the control of another. In the house of commons they could command the aid of several among the master spirits of the age, of Cromwell, Selden, St. John, Vane, and Whitelock ; in the capital some of the most wealthy citizens professed themselves their disciples, and in the army their power rapidly increased by the daily accession of the most godly and fanatic of the soldiers. The very nature of the contest between the king and the parliament was calculated to predispose the mind in favour of their principles. It taught men to distrust the claims of authority, to exercise their own judgment on matters of the highest interest, and to spurn the fetters of intellectual as well as of political thralldom. In a short time the independents were joined by the antinomians, anabaptists, millenarians, erastians, and the members of many ephemeral sects, whose very names are now forgotten. All had one common interest ; freedom of conscience formed the chain which bound them together*.

In the assembly each party watched with jealousy, and opposed with warmth, the proceedings of the other. On a few questions they proved unanimous. The appointment of days of humiliation and prayer, the sup-

* Baillie, 398. 403. ii. 3. 19. 43. Whitelock, 169, 170.

pression of public and scandalous sins, the prohibition of copes and surplices, the removal of organs from the churches, and the mutilation or demolition of monuments deemed superstitious or idolatrous, were matters equally congenial to their feelings, and equally gratifying to their zeal or fanaticism*. But when they came to the more important subject of church government, the opposition between them grew fierce and obstinate; and day after day, week after week, was consumed in unavailing debates. The kirk of Scotland remonstrated, the house of commons admonished in vain. For more than a year the perseverance of the independents held in check the ardour and influence of their more numerous adversaries. Overpowered at last by open force, they had recourse to stratagem; and, to distract the attention of the presbyterians, tendered to the assembly a plea for indulgence to tender consciences; while their associate, Cromwell, obtained from the lower house an order that the same subject should be referred to a committee, formed of lords and commoners, and Scottish commissioners and deputies from the assembly. Thus a new apple of discord was thrown among the combatants. The lords Say and Wharton, sir Henry Vane, and Mr. St. John, contended warmly in favour of toleration; they were as warmly opposed by the "divine eloquence" of the chancellor of Scotland, the commissioners from the kirk, and several eminent members of the English parliament. The passions and artifices of the contending parties interposed additional delays, and the year 1644 closed before this interesting controversy could be brought to a conclusion†. Eighteen months had elapsed since the assembly was first convened, and yet it had accomplished nothing of importance except the composition of a directory for the public worship, which regulated the order of the service, the administration of

* Journals, 1643. July 5, 1644. Jan. 16. 29. May 9. Journals of Lords, vi. 200. 507. 546. Baillie, i. 421. 2. 71. Rush. v. 353. 749.

† Baillie, ii. 57. 61, 62. 66—63. Journals, Sept. 13. Jan. 24. Of Lords, 70.

the sacraments, the ceremony of marriage, the visitation of the sick, and the burial of the dead. On all these subjects the Scots endeavoured to introduce the practice of their own kirk: but the pride of the English demanded alterations; and both parties consented to a

- sort of compromise, which carefully avoided every approach to the form of a liturgy, and, while it suggested heads for the sermon and prayer, left much of the matter, and the whole of the manner, to the talents or the inspiration of the minister. In England the book of common prayer was abolished, and the directory substituted in its place by an ordinance of the two houses; in Scotland the latter was commanded to be observed in all churches by the joint authority of the assembly and the parliament*.

To the downfall of the liturgy succeeded a new spectacle, the decapitation of an archbishop. The name of Laud, during the first fifteen months after his impeachment, had scarcely been mentioned; and his friends began to cherish a hope that, amidst the din of arms, the old man might be forgotten, or suffered to descend peaceably into the grave. But his death was unintentionally occasioned by the indiscretion of one, whose wish and whose duty it was to preserve the life of the prelate. The lords had ordered Laud to collate the vacant benefices in his gift, on persons nominated by themselves, and the king had forbidden him to obey. The death of 1643. the rector of Chatham, in Kent, brought his constancy Feb. to the test. The lords named one person to the living, 3. Charles another; and the archbishop, to extricate himself from the dilemma, sought to defer his decision till the right should have lapsed to the crown; but the lords made a peremptory order, and when he attempted April to excuse his disobedience, sent a message to the commons 21. to expedite his trial. Perhaps they meant only to inti-

* Baillie, i. 408. 413. 440. ii. 27. 31. 33. 36. 73, 4, 5. Rush. v. 785. Journals, Sep. 24. Nov. 26. Jan. 1. 4. Mar. 5. Journals of Lords, 119. 121. See "Confessions of Faith, &c., in the Church of Scotland," 159—194.

midate; but his enemies seized the opportunity; a committee was appointed; and the task of collecting and preparing evidence was committed to Prynne, whose tiger-like revenge still thirsted for the blood of his former persecutor*. He carried off from the cell of the prisoner his papers, his diary, and even his written defence; he sought in every quarter for those who had formerly been prosecuted or punished at the instance of the archbishop, and he called on all men to discharge their duty to God and their country, by deposing to the crimes of him who was the common enemy of both.

May 31. At the termination of six months the committee had
 23. been able to add ten new articles of impeachment to the
 1644. fourteen already presented; four months later, both
 Mar. parties were ready to proceed to trial, and on the 12th
 4. of March, 1664, more than three years after his commitment, the archbishop confronted his prosecutors at the bar of the house of lords.

I shall not attempt to conduct the reader through the mazes of this long and wearisome process, which occupied twenty-one days in the course of six months. The many articles presented by the commons might be reduced to three,—that Laud had endeavoured to subvert the rights of parliament, the laws, and the religion of the nation. In support of these, every instance that could be raked together by the industry and ingenuity of Prynne, was brought forward. The familiar discourse, and the secret writings of the prelate, had been scrutinized; and his conduct, both private and public, as a bishop and a counsellor, in the star-chamber and the high commission court, had been subjected to the most severe investigation. Under every disadvantage, he defended himself with spirit, and often with success. He shewed that many of the witnesses were his personal enemies, or undeserving of credit; that his words and writings would bear a less offensive and more probable interpretation; and that most of the facts objected to him were

* Laud's History written by himself in the Tower, 200—206.

either the acts of his officers, who alone ought to be responsible, or the common decision of those boards of which he was only a single member *. Thus far he had conducted his defence without legal aid; the lords allowed him counsel to speak to matters of law. They contended that not one of the offences alleged against him amounted to high treason; that their number could not change their quality; that an endeavour to subvert the law, or religion, or the rights of parliament, was not treason by any statute; and that the description of an offence so vague and indeterminate ought never to be admitted; otherwise the slightest transgression might, under that denomination, be converted into the highest crime known to the law †. 11.

But the commons, whether they distrusted the patriotism of the lords, or doubted the legal guilt of the prisoner, had already resolved to proceed by attainder. After the second reading of the ordinance, they sent for Nov. the venerable prisoner to their bar, and ordered Brown, 2. one of the managers, to recapitulate in his hearing the evidence against him, together with his answers. Some days later he was recalled, and suffered to speak in his own defence. After his departure, Brown made a long reply; and the house, without further consideration, 11. passed the bill of attainder, and adjudged him to suffer the penalties of treason ‡. 13. The reader will not fail to observe this flagrant perversion of the forms of justice. It was not as in the case of the earl of Strafford. The commons had not been present at the trial of Laud; they had not heard the evidence, they had not even read the depositions of the witnesses; they pronounced judgment on the credit of the unsworn and partial statement made by their own advocate. Such a proceeding,

* Compare his own daily account of his trial in history, 220—421, with that part published by Prymme, under the title of *Cauterburies doome*, 1646, and Rushworth, v. 772.

† See it in Laud's history, 423.

‡ Journals, Oct. 31. Nov. 2. 11. 16 Laud's History, 432—440. Rushworth, v. 780.

so subversive of right and equity, would have been highly reprehensible in any court or class of men; it deserved the severest reprobation in that house, the members of which professed themselves the champions of freedom, and were actually in arms against the sovereign, to preserve, as they maintained, the laws, the rights, and the liberties of the nation.

To quicken the tardy proceedings of the peers, the enemies of the archbishop had recourse to their usual expedients. Their emissaries lamented the delay in the punishment of delinquents, and the want of unanimity between the two houses. It was artfully suggested as a remedy, that both the lords and commons ought to sit and vote together in one assembly; and a petition, embodying these different subjects, was prepared and circulated for signatures through the city. Such manœuvres aroused the spirit of the peers. They threatened
 Nov. 28. to punish all disturbers of the peace; they replied with dignity to an insulting message from the commons; and regardless of the clamours of the populace, they spent several days in comparing the proofs of the managers with the defence of the archbishop. At last, in a house
 Dec. 17. of fourteen members, the majority pronounced him guilty of certain acts, but left it to the judges to determine the quality of the offence. Their answer was warily expressed, that nothing of which he had been convicted was treason by the statute law; and of the law of parliament, the house alone was the proper judge. In these circumstances the lords informed the commons, that till their consciences were satisfied they should
 23. "scruple" to pass the bill of attainder*.

It was the eve of Christmas, and to prove that the nation had thrown off the yoke of superstition, the festival was converted, by ordinance of the two houses, into a day of "fasting and public humiliation †." There

* Journals, vii. 76. 100. 111.

† Journals, 105. In the preceding year, the Scottish commissioners had "preached stoutly against the superstition of Christmas;" but only

was much policy in the frequent repetition of these devotional observances. The ministers having previously received instructions from the leading patriots, adapted their prayers and sermons to the circumstances of the time, and never failed to add a new stimulus to the fanaticism of their hearers. On the present occasion the crimes of the archbishop offered a tempting theme to their eloquence; and the next morning the commons, taking into consideration the last message, intrusted to a committee the task of enlightening the ignorance of the lords. In a conference the latter were told that treasons are of two kinds; treasons against the king, created by statute, and cognisable by the inferior courts; and treasons against the realm, held so at common law, and subject only to the judgment of parliament; there could not be a doubt that the offence of Laud was treason of the second class; nor would the two houses perform their duty, if they did not visit it with the punishment which it deserved. When the question was resumed, several of the lords withdrew; most of the others were willing to be persuaded by the reasoning of the commons; and the ordinance of attainder was passed by the majority, consisting only, if the report be correct, of six members *. 4.

The archbishop submitted with resignation to his fate, and appeared on the scaffold with a serenity of countenance and dignity of behaviour, which did honour to the cause for which he suffered. The cruel punishment of treason had been, after some objections, commuted for decapitation, and the dead body was delivered for interment to his friends †. On Charles the melancholy

succeeded in prevailing on the two houses "to profane that holyday by sitting on it, to their great joy, and some of the assembly's shame." Baillie, i. 411.

* Journals, 125, 126. Commons, Dec. 26. Laud's Troubles, 452. Rushworth, v. 781—5. Cyprianus Aug. 523. From the journals it appears that twenty lords were in the house during the day: but we are told in the "Brief relation" printed in the second collection of Somers' Tracts, ii. 287, that the majority consisted of the earls of Kent, Pembroke, Salisbury, and Bolingbroke, and the lords North, Gray de Warke and Bruce. Bruce afterwards denied that he had voted. According to Sabran, the French ambassador, the majority amounted to five out of nine. Raumer, ii. 332.

† Several executions had preceded that of the archbishop. Macmahon,

intelligence made a deep impression; yet he contrived to draw from it a new source of consolation. He had sinned equally with his opponents in consenting to the death of Strafford, and had experienced equally with them the just vengeance of heaven. But he was innocent of the blood of Laud: the whole guilt was exclusively theirs; nor could he doubt that the punishment would speedily follow in the depression of their party, and the exaltation of the throne*.

The very enemies of the unfortunate archbishop admitted that he was learned and pious, attentive to his duties, and unexceptionable in his morals: on the other hand, his friends could not deny that he was hasty and vindictive, positive in his opinions, and inexorable in his enmities. To excuse his participation in the arbitrary measures of the council, and his concurrence in the severe decrees of the star chamber, he alleged, that he was only one among many: and that it was cruel to visit on the head of a single victim the common faults of the whole board. But it was replied, with great appearance of truth, that though only one, he was the chief; that his authority and influence swayed the opinions both of his sovereign and his colleagues; and that he must not expect to escape the just reward of his crimes, because he had possessed the ingenuity to make others his associates in guilt. Yet I am of opinion that it was religious, and not political rancour, which led him to the block; and that, if the zealots could have forgiven his conduct as archbishop, he might have lingered out the remainder of his life in the Tower. There was, however, but little difference in that respect between them and their victim. Both were equally obstinate, equally infallible, equally intolerant. As long as Laud ruled in

concerned in the design to surprise the castle of Dublin, suffered Nov. 22. Sir Alexander Carew, who had engaged to surrender Plymouth to the king, on Dec. 23, and Sir John Hotham and his son, who, conceiving themselves ill treated by the parliament, had entered into a treaty for the surrender of Hull, on the first and second of January. Lord Macguire followed on Feb. 20.

* See his letter to the queen, Jan. 14th, in his works, 145.

the zenith of his power, deprivation awaited the non-conforming minister, and imprisonment, fine, and the pillory were the certain lot of the writer, who dared to lash the real or imaginary vices of the prelacy. His opponents were now lords of the ascendant, and they exercised their sway with similar severity on the orthodox clergy of the establishment, and on all who dared to arraign before the public the new reformation of religion. Surely the consciousness of the like intolerance might have taught them to look with a more indulgent eye on the past errors of their fallen adversary, and to spare the life of a feeble old man bending under the weight of seventy-two years, and disabled by his misfortunes from offering opposition to their will, or affording aid to their enemies*.

* I have not noticed the charge of endeavouring to introduce popery, because it appears to me fully disproved by the whole tenor of his conduct and writings, as long as he was in authority. There is, however, some reason to believe that, in the solitude of his cell, and with the prospect of the block before his eyes, he began to think more favourably of the catholic church. At least, I find Rosetti, inquiring of Cardinal Barberini whether, if Laud should escape from the Tower, the pope would afford him an asylum and a pension in Rome. He would be content with 1000 crowns—*il quale, quando avesse potuto liberarsi dalle carceri, sarebbe ito volontieri a vivere e morire in Roma, contendendosi di mille scudi annui.*—Barberini answered, that Laud was in such bad repute in Rome, being looked upon as the cause of all the troubles in England, that it would previously be necessary that he should give good proof of his repentance: in which case he should receive assistance, though such assistance would give a colour to the imputation that there had always been an understanding between him and Rome. “*Era sì cattivo il concetto, che di lui avevasi in Roma, cioè che fosse stato autore di tutte le torbolenze d’Inghilterra, che era necessario dasse primo segni ben grandi del suo pentimento. Ed in tal caso sarebbe stato ajutato; sebene saria paruto che nelle sue passate risoluzioni se la fosse sempre intesa con Roma.*” From the MS. abstract of the Barberini papers made by the canon Nicoletti soon after the death of the cardinal.

CHAPTER III.

CHARLES I.

Treaty at Uxbridge—Victories of Montrose in Scotland—Defeat of the King at Naseby—Surrender of Bristol—Charles shut up within Oxford—Mission of Glamorgan to Ireland—He is disavowed by Charles, but concludes a peace with the Irish—The King intrigues with the parliament, the Scots, and the Independents—He escapes to the Scottish army—Refuses the concessions required—Is delivered up by the Scots.

WHENEVER men spontaneously risk their lives and fortunes in the support of a particular cause, they are wont to set a high value on their services, and generally assume the right of expressing their opinions and of interfering with their advice. Hence it happened that the dissensions and animosities in the court and army of the unfortunate monarch were scarcely less violent or less dangerous than those which divided the parliamentary leaders. All thought themselves entitled to offices and honours from the gratitude of the sovereign; no appointment could be made which did not deceive the expectations and excite the murmurs of numerous competitors; and complaints were everywhere heard, cabals were formed, and the wisest plans were frequently controlled and defeated, by men who thought themselves neglected or aggrieved. When Charles, as one obvious remedy, removed the lord Wilmot from the command of the cavalry, and the lord Percy from that of the ordnance, he found that he had only aggravated the evil; and the

dissatisfaction of the army was further increased by the substitution of his nephew prince Rupert, whose severe and imperious temper had earned him the general hatred, in the place of Ruthen, who, on account of his infirmities, had been advised to retire *.

Another source of most acrimonious controversy was furnished by the important question of peace or war, which formed a daily subject of debate in every company, and divided the royalists into contending parties. Some there were (few indeed in number, and chiefly those whom the two houses by their votes had excluded from all hopes of pardon,) who contended that the king ought never to lay down his arms, till victory should enable him to give the law to his enemies ; but the rest, wearied out with the fatigues and dangers of war, and alarmed by the present sequestration of their estates, and the ruin which menaced their families, most anxiously longed for the restoration of peace. These, however, split into two parties : one which left the conditions to the wisdom of the monarch ; the other which not only advised, but occasionally talked of compelling a reconciliation on almost any terms, pretending that, if once the king were resealed on his throne, he must quickly recover every prerogative which he might have lost. As for Charles himself, he had already suffered too much by the war, and saw too gloomy a prospect before him, to be indifferent to the subject : but, though he was now prepared to make sacrifices, from which but two years before he would have recoiled with horror, he had still resolved never to subscribe to conditions irreconcilable with his honour and conscience ; and in this temper of mind he was confirmed by the frequent letters of Henrietta from Paris, who reminded him of the infamy which he would entail on himself, were he, as he was daily advised, to betray to the vengeance of the parliament the protestant bishops, and catholic royalists, who, trusting to his word,

* Clarendon, ii. 482. 513. 554.

had ventured their all for his interest*. He had now assembled his parliament for the second time: but the attendance of the members was thin, and the inconvenience greater than the benefit. Motions were made ungrateful to the feelings, and opposed to the real views of the king, who, to free himself from the more obtrusive and importunate of these advisers, sent them into honourable exile, by appointing them to give their attendance on his queen during her residence in France †.

1644. In the last summer the first use which he had made
 July of each successive advantage, was to renew the offer of
 4. opening a negotiation for peace. It convinced the army
 Sept. of the pacific disposition of their sovereign, and it threw
 5. on the parliament, even among their own adherents, the
 Nov. blame of continuing the war. At length, after the third
 23. message, the houses gave a tardy and reluctant consent; but it was not before they had received from Scotland

* This is the inference which I have drawn from a careful perusal of the correspondence between Charles and the queen in his works, p. 142—150. Some writers have come to a different conclusion: 'that he was insincere, and under the pretence of seeking peace, was in reality determind to continue the war. That he prepared for the resumption of hostilities is indeed true: but the reason which he gives to the queen is satisfactory, "the improbability that this present treaty should produce a peace, considering the great strange difference (if not contrariety) of grounds that are betwixt the rebels' propositions and mine, and that I cannot alter mine, nor will they ever theirs, until they be out of the hope to prevail by force," p. 146. Nor do I see any proof that Charles was governed, as is pretended, by the queen. He certainly took his resolutions without consulting her, and, if she sometimes expressed her opinion respecting them, it was no more than any other woman in a similar situation would have done. "I have nothing to say, but that you have a care of your honour: and that, if you have a peace, it may be such as may hold; and if it fall out otherwise, that you do not abandon those who have served you, for fear they do forsake you in your need. Also I do not see how you can be in safety without a regiment of guard; for myself, I think I cannot be, seeing the malice which they have against me and my religion, of which I hope you will have a care of both. But in my opinion, religion should be the last thing upon which you should treat: for if you do agree upon strictness against the catholics, it would discourage them to serve you; and if afterwards there should be no peace, you could never expect succours either from Ireland, or any other catholic prince, for they would believe you would abandon them after you have served yourself." p. 142, 143.

† See the letters in Charles's works, 142—143. "I may fairly expect to be chidden by thee for having suffered thee to be vexed by them (Wilmot being already there, Percy on his way, and Sussex within a few days of taking his journey) but that I know thou carest not for a little trouble to free me from great inconvenience." Ibid. 150.

the propositions formerly voted as the only basis of a lasting reconciliation, had approved of the amendments suggested by their allies, and had filled up the blanks with the specification of the acts of parliament to be passed, and with the names of the royalists to be excepted from the amnesty. It was plain to every intelligent man in either army that to lay such a foundation of peace was in reality to proclaim perpetual hostilities*. But the king, by the advice of his council, consented to make it the subject of a treaty for two ends: to discover whether it was the resolution of the houses to adhere without any modification to these high pretensions; and to make the experiment, whether it were not possible to gain one of the two factions, the presbyterians or the independents, or at least to widen the breach between them by furnishing new causes of dissension†.

At Uxbridge, within the parliamentary quarters, the commissioners from the two parties met each other. Jan. Those from the parliament had been commanded to ad- 30.
mit of no deviation from the substance of the propositions already voted; to confine themselves to the task of shewing that their demands were conformable to reason, and therefore not to be refused; and to insist that the questions of religion, the militia, and Ireland, should each be successively debated during the term of three days, and continued in rotation till twenty days had expired, when, if no agreement were made, the treaty should terminate. They demanded that episcopacy should be abolished, and the directory be substituted in place of the book of common prayer; that the command of the army and navy should be vested in the two houses,

* Journals, vii. 53. The very authors of the propositions did not expect that the king would ever submit to them. Baillie, ii. 8. 43. 73.

† Charles was now persuaded even to address the two houses by the style of "the lords and commons assembled in the parliament of England at Westminster," instead of "the lords and commons of parliament assembled at Westminster," which he had formerly used. Journals, vii. 91. He says he would not have done it, if he could have found two in the council to support him. Works, 144. Evelyn's Mem. ii, app. 90. This has been alleged, but I see not with what reason, as a proof of his insincerity in the treaty.

Feb.
22.

and intrusted by them to certain commissioners of their own appointment; and that the cessation in Ireland should be broken, and hostilities should be immediately renewed. The king's commissioners replied, that his conscience would not allow him to consent to the proposed change of religious worship, but that he was willing to consent to a law restricting the jurisdiction of the bishops within the narrowest bounds, granting every reasonable indulgence to tender consciences, and raising on the church property the sum of 100,000*l.*, towards the liquidation of the public debt; that on the subject of the army and navy he was prepared to make considerable concessions, provided the power of the sword were, after a certain period, to revert unimpaired to him and his successors; and that he could not, consistently with his honour, break the Irish treaty, which he had, after mature deliberation, subscribed and ratified. Much of the time was spent in debates respecting the comparative merits of the episcopal and presbyterian forms of church government, and in charges and recriminations as to the real authors of the distress and necessity which had led to the cessation in Ireland. On the twentieth day nothing had been concluded. A proposal to prolong the negotiation was rejected by the two houses, and the commissioners returned to London and Oxford. The royalists had, however, discovered that Vane, St. John, and Prideaux had come to Uxbridge not so much to treat, as to act the part of spies on the conduct of their colleagues; and that there existed an irreconcilable difference of opinion between the two parties, the presbyterians seeking the restoration of royalty, provided it could be accomplished with perfect safety to themselves, and with the legal establishment of their religious worship, while the independents sought nothing less than the total downfall of the throne, and the extinction of the privileges of the nobility*.

* See Journals, vii. 163. 166. 169. 174. 181. 195. 211. 231. 239. 242—254. Clarendon, ii. 578—600.

Both parties again appealed to the sword, but with very different prospects before them; on the side of the royalists all was lowering and gloomy, on that of the parliament bright and cheering. The king had derived but little of that benefit which he expected from the cessation in Ireland. He dared not withdraw the bulk of his army before he had concluded a peace with the insurgents; and they, aware of his difficulties, combined their demands, which he knew not how to grant, with an offer of aid which he was unwilling to refuse. They demanded freedom of religion, the repeal of Poyning's law, a parliamentary settlement of their estates, and a general amnesty, with this exception, that an inquiry should be instituted into all acts of violence and bloodshed not consistent with the acknowledged usages of war, and that the perpetrators should be punished according to their deserts, without distinction of party or religion. It was the first article which presented the chief difficulty. The Irish urged the precedent of Scotland; they asked no more than had been conceded to the covenanters; they had certainly as just a claim to the free exercise of that worship, which had been the national worship for ages, as the Scots could have to the exclusive establishment of a form of religion, which had not existed during an entire century. But Charles, in addition to his own scruples, feared to irritate the prejudices of his protestant subjects. He knew that many of his own adherents would deem such a concession an act of apostacy; and he conjured the Irish deputies not to solicit that which must prove prejudicial to him, and therefore to themselves: let them previously enable him to master their common enemies; let them place him in a condition "to make them happy," and he assured them on the word of a king, that he would not "disappoint their just expectations*." They were not, however, to be satisfied with vague promises, which might afterwards be interpreted as it suited the royal convenience; and Charles, to throw the odium of the measure from

* Clarendon, Irish rebellion, 25.

himself on his Irish counsellors, transferred the negotiation to Dublin, to be continued by the new lord lieutenant, the marquess of Ormond. That nobleman was at first left to his own discretion. He was then authorised to promise the non-execution of the penal laws for the present, and their repeal on the restoration of tranquillity; and, lastly, to stipulate for their immediate repeal, if he could not otherwise subdue the obstinacy, or remove the jealousy of the insurgents. The treaty at Uxbridge had disclosed to the eyes of the monarch the abyss which yawned before him; he saw "that the aim of his adversaries was a total subversion of religion and "regal power;" and he commanded Ormond to conclude the peace whatever it might cost, provided it should secure the persons and properties of the Irish protestants, and the full exercise of the royal authority in the island*.

In Scotland an unexpected but transient diversion had been made in favour of the royal cause. The earls, afterwards marquesses, of Antrim and Montrose had met in the court at Oxford. In abilities Montrose was inferior to few, in ambition to none. The reader is aware that he had originally fought in the ranks of the covenanters, but afterwards transferred his services to Charles, and narrowly escaped the vengeance of his enemies. Now, that he was again at liberty, he aspired to the glory of restoring the ascendancy of the royal cause

* Carte's Ormond, ii. App. xii. xiv. xv. xviii. iii, cccxxi. He thus states his reasons to the lord lieutenant. "It being now manifest that the English rebels have, as far as in them lies, given the command of Ireland to the Scots (they had made Leslie, earl of Leven, commander-in-chief of all the English as well as Scottish forces in Ireland) that their aim is the total subversion of religion and regal power, and that nothing less will content them, or purchase peace here; I think myself bound in conscience not to let slip the means of settling that kingdom (if it may be) fully under my obedience, nor lose that assistance which I may hope from my Irish subjects, for such scruples as in a less pressing condition might reasonably be stuck at by me. . . . If the suspension of Poining's act for such bills as shall be agreed upon between you there, and the present taking away of the penal laws against papists by a law, will do it, I shall not think it a hard bargain, so that freely and vigorously they engage themselves in my assistance against my rebels of England and Scotland, for which no conditions can be too hard, not being against conscience or honour." Charles's Works, 149, 150.

in Scotland. At first all his plans were defeated by the jealousy or wisdom of Hamilton: but Hamilton gradually sunk, whilst his rival rose in the esteem of the sovereign*. Antrim, his associate, was weak and capricious, but proud of his imaginary consequence, and eager to engage in undertakings to which neither his means nor his talents were equal. He had failed in his original attempt to surprise the castle of Dublin; and had twice fallen into the hands of the Scots in Ulster, and twice made his escape: still his loyalty or presumption was unsubdued, and he had come to Oxford to make a third tender of his services. Both Antrim and Montrose professed themselves the personal enemies of the earl of Argyle, appointed by the Scottish estates lieutenant of the kingdom; and they speedily arranged a plan, which possessed the double merit of combining the interest of the king with the gratification of private revenge. Having obtained the royal commission†, Antrim proceeded to Ulster, raised eleven or fifteen hundred men among his dependents, and despatched them to the opposite coast of Scotland, under the command of his kinsman Alaster Macdonald, surnamed Colkitto‡. They landed at Knoydart: the destruction of their ships July in Loch Eishord by a hostile fleet, deprived them of the 8.

* When Hamilton arrived at Oxford, Dec. 16, 1643, several charges were brought against him by the Scottish royalists, which with his answers may be seen in Burnet, *Memoirs*, 250—269. Charles pronounced no opinion; but his suspicions were greatly excited by the deception practised by Hamilton on the lords of the royal party at the convention, and his concealment from them of the king's real intentions. On this account Hamilton was arrested, and conveyed to Pendennis Castle in Cornwall, where he remained a prisoner, till the place was taken by the parliamentary forces. Hamilton's brother Lauark was also forbidden to appear at court; and, having received advice that he would be sent to the castle of Ludlow, made his escape from Oxford to his countrymen in Loudon, and thence returned to Edinburgh. His offence was, that he, as secretary, had affixed the royal signet to the proclamation of Aug. 24, calling on all Scotsmen to arm in support of the new league and covenant. See p. 97.

† He was authorised to treat with the confederate catholics for 10,000 men; if their demands were too high, to raise as many men as he could and send them to the king; to procure the loan of 2000 men to be landed in Scotland; and to offer Monroe, the Scottish commander, the rank of earl and a pension of 2000*l.*, per annum, if with his army he would join the royalists. Jan. 20, 1644. *Clarendon Papers*, ii. 165.

‡ MacColl Keitache, son of Coll, the left-handed.

means of returning to Ireland ; and Argyle with a superior force cautiously watched their motions. From the Scottish royalists they received no aid : yet Macdonald marched as far as Badenoch, inflicting severe injuries on the covenanters, but exposed to destruction from the increasing multitude of his foes. In the mean time

- April 13. Montrose, with the rank of lieutenant-general, had unfurled the royal standard at Dumfries ; but with so little success, that he hastily retraced his steps to Carlisle, where by several daring actions he rendered such services to the royal cause, that he received the title of marquess from the gratitude of the king. But the fatal battle of
- May 6. Marston moor induced him to turn his thoughts once more towards Scotland ; and having ordered his followers to proceed to Oxford, on the third day he silently withdrew with only two companions, and soon afterwards reached in the disguise of a groom the foot of the
- Aug. 1. Grampian Hills. There he received intelligence of the proceedings of Macdonald, and appointed to join him in Athole. At the castle of Blair, which had surrendered to the strangers, the two chieftains met : Montrose assumed the command, published the royal commission, and called on the neighbouring clans to join the standard of their sovereign. The Scots, who had scorned to serve under a foreigner, cheerfully obeyed, and to the astonishment of the covenanters an army appeared to rise out of the earth in a quarter the most remote from danger : but it was an army better adapted to the purpose of predatory invasion than of permanent warfare. Occasionally it swelled to the amount of several thousands : as often it dwindled to the original band of Irishmen under Macdonald. These, having no other resource than their courage, faithfully clung to their gallant commander in all the vicissitudes of his fortune ; the highlanders, that they might secure their plunder, frequently left him to flee before the superior multitude of his foes.

The first who dared to meet the royalists in the field, was the lord Elcho, whose defeat at Tippermuir gave to

the victors the town of Perth, with a plentiful supply of military stores and provisions. From Perth they marched Sept. towards Aberdeen; the lord Burley with his army fled 1. at the first charge; and the pursuers entered the gates 12. with the fugitives. The sack of the town lasted three days: by the fourth many of the highlanders had disappeared with the spoil; and Argyle approached with a superior force. Montrose, to avoid the enemy, led his 19. followers into Banff, proceeded along the right bank of the Spey, crossed the mountains of Badenoch, passed through Athole into Angus, and after a circuitous march of some hundred miles, reached and took the castle of Fyvie. There he was overtaken by the covenanters, Oct. whom he had so long baffled by the rapidity and per- 28. plexity of his movements. But every attempt to force his position on the summit of a hill was repelled; and on the retirement of the enemy, he announced to his followers his intention of seeking a safer asylum in the Highlands. Winter had already set in with severity; and his Lowland associates shrunk from the dreary prospect before them: but Montrose himself, accompanied by his more faithful adherents, gained without opposition the braes of Athole.

To Argyle the disappearance of the royalists was a subject of joy. Disbanding the army, he repaired, after a short visit to Edinburgh, to his castle of Inverary, where he reposed in security, aware, indeed, of the hostile projects of Montrose, but trusting to the wide barrier of snows and mountains which separated him from his enemy. But the royal leader penetrated Dec. through this Alpine wilderness, compelled Argyle to 13. save himself in an open boat on Loch Tyne, and during six weeks wreaked his revenge on the domains and the clansmen of the fugitive. At the approach of Argyle 1645. with eleven hundred regular troops, he retired: but Jan. suddenly turning to the left, crossed the mountains, 28. and issuing from Glennevis, surprised his pursuers at Inverlochty in Lochabar. From his galley in the Frith

- Feb. Argyle beheld the assault of the enemy, the shock of
 2. the combatants, and the slaughter of at least one half of his whole force. This victory placed the north of Scotland at the mercy of the conquerors. From Inverlochy they marched to Elgin, and from Elgin to Aberdeen, ravaging, as they passed, the lands, and burning the houses of the covenanters. But at Brechin, Baillie
 Mar. opposed their progress with a numerous and regular
 25. force. Montrose turned in the direction of Dunkeld: Baillie marched to Perth. The former surprised the
 April opulent town of Dundee: the latter arrived in time to
 4. expel the plunderers. But he pursued in vain. They regained the Grampian hills, where in security they once more bade defiance to the whole power of the enemy. Such was the short and eventful campaign of Montrose. His victories, exaggerated by report, and embellished by the fancy of the hearers, cast a faint and deceitful lustre over the declining cause of royalty. But they rendered no other service. His passage was that of a meteor, scorching every thing in its course. Wherever he appeared, he inflicted the severest injuries: but he made no permanent conquest; he taught the covenanters to tremble at his name, but he did nothing to arrest that ruin which menaced the throne and its adherents*.

England, however, was the real arena on which the conflict was to be decided, and in England the king soon found himself unable to cope with his enemies. He still possessed about one third of the kingdom. From Oxford he extended his sway almost without interruption to the extremity of Cornwall: north and south Wales, with the exception of the castles of Pembroke and Moutgomery, acknowledged his authority; and the royal standard was still unfurled in several towns in the midland counties†. But his army, under the nominal

* See Rushworth, v. 923—932. vi. 228. Guthrie, 162—183. Baillie, ii. 64. 65. 92—95. Clarendon, ii. 606. 618. Wishart, 67. 110. Journals, vii. 566. Spalding, ii. 237.

† Rushworth, vi. 18—22.

command of the prince of Wales, and the real command of prince Rupert, was frittered away in a multitude of petty garrisons, and languished in a state of the most alarming insubordination. The generals, divided into factions, presumed to disobey the royal orders, and refused to serve under an adversary or a rival; the officers indulged in every kind of debauchery; the privates lived at free quarters; and the royal forces made themselves more terrible to their friends by their licentiousness than to their enemies by their valour*. Their excesses provoked new associations in the counties of Wilts, Dorset, Devon, Somerset, and Worcester, known by the denomination of clubmen, whose primary object was the protection of private property, and the infliction of summary vengeance on the depredators belonging to either army. These associations were encouraged and organized by the neighbouring gentlemen; arms of every description were collected for their use; and they were known to assemble in numbers of four, six, and even ten thousand men. Confidence in their own strength, and the suggestions of their leaders, taught them to extend their views; they invited the adjoining counties to follow their example, and talked of putting an end by force to the unnatural war which depopulated the country. But though they professed to observe the strictest neutrality between the contending parties, their meetings excited a well founded jealousy on the part of the parliamentary leaders; who, the moment it could be done without danger, pronounced such associations illegal, and ordered them to be suppressed by military force †.

* Clarendon, ii. 604. 633. 636. 642. 661. 668. "Good men are so scandalized at the horrid impiety of our armies, that they will not believe that God can bless any cause in such hands." Lord Culpeper to Lord Digby. Clarendon Papers, ii. 189. Carte's Ormond, iii. 396. 399.

† Clarend. ii. 665. Whitelock, March 4. 11. 15. Rushw. vi. 52, 53. 61, 62. But the best account of the clubmen is to be found in a letter from Fairfax to the committee of both kingdoms, preserved in the Journals of the Lords, vii. 184. They wore white ribbons for a distinction, prevented, as much as they were able, all hostilities between the soldiers of the opposite parties, and drew up two petitions in the same words, one to be pre-

On the other side the army of the parliament had been reformed according to the ordinance. The members of both houses had resigned their commissions, with the exception of a single individual, the very man with whom the measure had originated, lieutenant-general Cromwell. This by some writers has been alleged as a proof of the consummate art of that adventurer, who sought to remove out of his way the men that stood between him and the object of his ambition : but the truth is, that his continuation in the command was effected by a succession of events which he could not possibly have foreseen. He had been sent with Waller to oppose the progress of the royalists in the west ; on his return he was ordered to prevent the junction of the royal cavalry with the forces under the king ; and he then received a commission to protect the associated counties from insult. While he was employed in this service, the term appointed by the ordinance approached : but Fairfax expressed his unwillingness to part with so experienced an officer at such a crisis, and the two houses consented that he should remain forty days longer with the army. Before they expired, the great battle of Naseby had been fought ; in consequence of the victory the ordinance was suspended three months in his favour ; and afterwards the same indulgence was reiterated as often as it became necessary*.

It was evident that the army had lost nothing by the exclusion of members of parliament, and the change in its organization. The commanders were selected from

sent to the king, the other to the parliament, praying them to conclude a peace, and in the mean time to withdraw their respective garrisons out of the country, and pledging themselves to keep possession of the several forts and castles, and not to surrender them without a joint commission from both king and parliament. Fairfax observes, that " their heads had " either been in actual service in the king's army, or were known favourers " of the party. In these two counties, Wilts and Dorset, they are abundantly more affected to the enemy than to the parliament. I know not " what they may attempt." Ibid. At length the two houses declared all persons associating in arms without authority, traitors to the commonwealth. Journals, vii. 549.

* Journals, Feb. 27. May 10. June 16. Aug. 8. Lords' Journ. vii. 420. 535.

those who had already distinguished themselves by the splendour of their services, and their devotion to the cause; the new regiments were formed of privates, who had served under Essex, Manchester, and Waller, and care was taken that the majority of both should consist of that class of religionists denominated independents. These men were animated with an enthusiasm of which at the present day we cannot form an adequate conception. They divided their time between military duties and prayer; they sung psalms as they advanced to the charge; they called on the name of the Lord, while they were slaying their enemies. The result showed that fanaticism furnished a more powerful stimulus than loyalty; the soldiers of God proved more than a match for the soldiers of the monarch*.

Charles was the first to take the field. He marched from Oxford at the head of ten thousand men, of whom more than one half were cavalry; the siege of Chester May was raised at the sole report of his approach; and Leicester, an important post in possession of the parliament, 7. was taken by storm on the first assault. Fairfax had 15. appeared with his army before Oxford, where he expected to be admitted by a party within the walls; but June the intrigue failed, and he received orders to proceed in 6. search of the king†. On the evening of the seventh 13. day his van overtook the rear of the royalists between Daventry and Harborough. Fairfax and his officers hailed with joy the prospect of a battle. They longed to refute the bitter taunts and sinister predictions of their opponents in the two houses; to prove that want of experience might be supplied by the union of zeal and talent; and to establish, by a victory over the king, the superiority of the independent over the presbyterian

* Essex, Manchester, and Denbigh, reluctantly tendered their resignations the day before the ordinance passed. The first died in the course of the next year, (Sept. 14): and the houses, to express their respect for his memory, attended the funeral, and defrayed the expense out of the public purse. *Lords' Journals*, viii. 508. 533.

† *Lords' Journals*, vii. 429. 431.

party. Charles, on the contrary, had sufficient reason to decline an engagement. His numbers had been diminished by the necessity of leaving a strong garrison in Leicester, and several reinforcements were still on their march to join the royal standard. But in the presence of the roundheads the cavaliers never listened to the suggestions of prudence. Early in the morning

June 14. the royal army formed in line about a mile south of Harborough. Till eight they awaited with patience the expected charge of the enemy: but Fairfax refused to move from his strong position near Naseby, and the king, yielding to the importunity of his officers, gave the word to advance. Prince Rupert commanded on the right. The enemy fled before him; six pieces of cannon were taken, and Ireton, the general of the parliamentary horse, was wounded, and for some time a prisoner in the hands of the victors †. But the lessons of experience had been thrown away upon Rupert. He urged the pursuit with his characteristic impetuosity, and as at Marston moor, by wandering from the field, suffered the victory to be won by the masterly conduct of Oliver Cromwell.

That commander found himself opposed to a weak body of cavalry under sir Marmaduke Langdale. By both the fight was maintained with obstinate valour; but superiority of numbers enabled the former to press on the flanks of the royalists, who began to waver, and at last turned their backs and fled. Cromwell prudently checked the pursuit, and leaving three squadrons to watch the fugitives, directed the remainder of his force against the

* So little did Charles anticipate the approach of the enemy, that on the 12th he amused himself with hunting, and on the 13th at supper time wrote to secretary Nicholas that he should march the next morning, and proceed through Landabay and Melton to Belvoir, but no further. Before midnight he had resolved to fight. See his letter in Evelyn's *Memoirs*, ii. App. 97.

† Ireton was of an ancient family in Nottinghamshire, and bred to the law. He raised a troop of horse for the parliament at the beginning of the war, and accepted a captain's commission in the new modelled army. At the request of the officers, Cromwell had been lately appointed general of the horse, and at Cromwell's request, Ireton was made commissary-general under him. *Journals*, vii. 421. *Rushworth*, vi. 42.

rear of the royal infantry. That body of men, only 3500 in number, had hitherto fought with the most heroic valour, and had driven the enemy's line, with the exception of one regiment, back on the reserve: but this unexpected charge broke their spirit; they threw down their arms and asked for quarter. Charles, who had witnessed their efforts and their danger, made every exertion to support them; he collected several bodies of horse; he put himself at their head; he called on them to follow him; he assured them that one more effort would secure the victory. But the appeal was made in vain. Instead of attending to his prayers and commands, they fled, and forced him to accompany them. The pursuit was continued with great slaughter almost to the walls of Leicester; and one hundred females, some of them ladies of distinguished rank, were put to the sword under the pretence that they were Irish catholics. In this fatal battle, fought near the village of Naseby, the king lost more than 3000 men, 9000 stand of arms, his park of artillery, the baggage of the army, and with it his own cabinet, containing private papers of the first importance. Out of these the parliament made a collection, which was published, with remarks, to prove to the nation the falsehoods of Charles, and the justice of the war*.

* For this battle see Clarendon, ii. 655. Rushworth, vi. 42. and the Journals, vii. 433—436. May asserts that not more than 300 men were killed on the part of the king, and only 100 on that of the parliament. The prisoners amounted to 5000. May, 77. The publication of the king's papers has been severely censured by his friends, and as warmly defended by the advocates of the parliament. If their contents were of a nature to justify the conduct of the latter, I see not on what ground it could be expected that they should be suppressed. The only complaint which can reasonably be made, and which seems founded in fact, is that the selection of the papers for the press was made unfairly. The contents of the cabinet were several days in possession of the officers, and then submitted to the examination of a committee of the lower house; by whose advice certain papers were selected and sent to the lords, with a suggestion that they should be communicated to the citizens in a common hall. But the lords required to see the remainder; twenty-two additional papers were accordingly produced; but it was at the same time acknowledged that others were still kept back, because they had not yet been deciphered. By an order of the commons the papers were afterwards printed with a preface contrasting certain passages in them with the king's former pro-

After this disastrous battle the campaign presented little more than the last and feeble struggles of an expiring party. Among the royalists hardly a man could be found who did not pronounce the cause to be desperate; and, if any made a show of resistance, it was more through the hope of procuring conditions for themselves, than of benefiting the interests of their sovereign. Charles himself bore his misfortunes with an air of magnanimity, which was characterized as obstinacy by the desponding minds of his followers. As a statesman he acknowledged the hopelessness of his cause; as a Christian he professed to believe that God would never allow rebellion to prosper: but, let whatever happen, he at least would act as honour and conscience called on him to act; his name should not descend to posterity, as the name of a king who had abandoned the cause of God, injured the rights of his successors, and sacrificed the interests of his faithful and devoted adherents*. From Leicester he retreated to Hereford; 3. from Hereford to Ragland castle, the seat of the loyal marquess of Worcester; and thence to Cardiff, that he might more readily communicate with prince Rupert at Bristol. Each day brought him a repetition of the most melancholy intelligence. Leicester had sur- June 17. rendered almost at the first summons; the forces under Goring, the only body of royalists deserving the name of an army, were defeated by Fairfax at Lampport; July 10. Bridgewater, hitherto deemed an impregnable fortress, 23. capitulated after a short siege; a chain of posts extending from that town to Lime, on the southern coast, cut off Devonshire and Cornwall, his principal resources, from all communication with the rest of the kingdom; and, what was still worse, the dissensions which raged

testatious. Journals, June 23. 26. 30. July 3. 7. Lords, vii. 467. 469. Charles himself acknowledges that the publication, as far as it went, was genuine (Evelyn's Memoirs, App. 101); but he also maintains that other papers, which would have served to explain doubtful passages, had been purposely suppressed. Clarendon Papers, ii. 187. See Baillie, ii. 136.

* Rushw. vi. 132. Clarendon, ii. 630.

among his officers and partisans in those counties, could not be appeased either by the necessity of providing for the common safety, or by the presence and authority of the prince of Wales*. To add to his embarrassments, June his three fortresses in the north, Carlisle, Pontefract, and 28. Scarborough, which, for eighteen months, had defied all July the efforts of the enemy, had now fallen, the first into the 21. hands of the Scots, the other two into those of the par- 25. liament. Under this accumulation of misfortunes many of his friends, and among them Rupert himself, hitherto the declared advocate of war, importuned him to yield to necessity, and to accept the conditions offered by the parliament. He replied that they viewed the question 31. with the eyes of mere soldiers and statesmen : but he was a king, and had duties to perform, from which no change of circumstances, no human power, could absolve him, to preserve the church, protect his friends, and transmit to his successors the lawful rights of the crown. God was bound to support his own cause : he might for a time permit rebels and traitors to prosper, but he would ultimately humble them before the throne of their sovereign †. Under this persuasion he pictured to himself the wonderful things to be achieved by the gallantry of Montrose in Scotland, and looked forward, with daily impatience to the arrival of an imaginary army of twenty thousand men from Ireland. But from such dreams he was soon awakened by the rapid increase of disaffection in the population around him, and by the rumoured advance of the Scots to besiege the city of Hereford. From Cardiff he hastily

* Clarendon, ii. 663. et seq. Rushw. vi. 50. 55. 57. Carte's Ormond, iii. 423.

† Clarendon, ii. 679. Lords' Journals, vii. 667. Only three days before his arrival at Oxford, he wrote (August 25) a letter to secretary Nicholas, with an order to publish its contents, that it was his fixed determination, by the grace of God, never, in any possible circumstances, to yield up the government of the church to papists, presbyterians, or independents, nor to injure his successors by lessening the ecclesiastical or military power bequeathed to him by his predecessors, nor to forsake the defence of his friends, who had risked their lives and fortunes in his quarrel. Evelyn's Memoirs, ii. App. 104.

Aug. crossed the kingdom to Newark. Learning that the
 21. Scottish cavalry were in pursuit, he left Newark, burst
 into the associated counties, ravaged the lands of his
 24. enemies, took the town of Huntingdon, and at last
 28. reached in safety his court at Oxford. It was not, that
 in this expedition he had in view any particular object.
 His utmost ambition was, by wandering from place to
 place, to preserve himself from falling into the hands of
 his enemies before the winter. In that season the se-
 verity of the weather would afford him sufficient protec-
 tion, and he doubted not, that against the spring the
 victories of Montrose, the pacification of Ireland, and
 the compassion of his foreign allies, would enable him
 to resume hostilities with a powerful army, and with
 more flattering prospects of success*.

At Oxford Charles heard of the victory gained at
 Kilsyth, in the neighbourhood of Stirling, by Montrose,
 who, if he had been compelled to retreat from Dundee,
 was still able to maintain the superiority in the high-
 lands. The first who ventured to measure swords with
 May 9. the Scottish hero, was the veteran general Hurry: but the
 assailant fled from the conflict at Auldearn, and saved
 himself, with the small remnant of his force, within the
 walls of Inverness. To Hurry succeeded with similar
 July 2. fortune Baillie, the commander-in-chief. The battle
 was fought at Alford, in the shire of Aberdeen; and
 few, besides the principal officers and the cavalry,
 escaped from the slaughter. A new army of 10,000
 men was collected: four days were spent in fasting and
 prayer; and the host of God marched to trample under
 foot the host of the king. But the experience of their
 leader was controlled by the presumption of the com-
 mittee of estates, and he, in submission to their
 Aug. 15. orders, marshalled his men in a position near Kilsyth:
 his cavalry was broken by the royalists at the first
 charge; the infantry fled without a blow, and about

* Clarendon, ii. 677. Rushw. vi. 131. Carte's Ormond, iii. 415, 416. 418.
 420. 423. 427. Baillie, ii. 152

5000 of the fugitives are said to have perished in the pursuit, which was continued for fourteen or twenty miles*. This victory placed the lowlands at the mercy of the conqueror. Glasgow and the neighbouring shires solicited his clemency; the citizens of Edinburgh sent to him the prisoners who had been condemned for their adherence to the royal cause; and many of the nobility, hastening to his standard, accepted commissions to raise forces in the name of the sovereign. At this news the Scottish horse, which had already reached Nottingham, marched back to the Tweed to protect their own country; and the king on the third day left Oxford with 5000 men, to drive the infantry from the siege of Hereford. They did not wait his arrival, and he entered the city amidst the joyful acclamations of the inhabitants†.

But Charles was not long suffered to enjoy his triumph. Full of confidence he had marched from Hereford to the relief of Bristol: but at Ragland castle learned that it was already in possession of the enemy. This unexpected stroke quite unnerved him. That a prince of his family, an officer whose reputation for courage and fidelity was unblemished, should surrender in the third week of the siege an important city, which he had promised to maintain for four months, appeared to him incredible. His mind was agitated with suspicion and jealousy. He knew not whether to attribute the conduct of his nephew to cowardice, or despondency, or disaffection; but he foresaw and lamented its baneful influence on the small remnant of his followers. In the anguish of his mind he revoked the commission of the prince, and commanded him to quit the kingdom; he

* It was probably on account of the heat of the season that Montrose ordered his men to throw aside their plaids—vestes molestiores—and fight in their shirts; an order which has given occasion to several fanciful conjectures and exaggerations. See Carte, iv. 538.

† Rushworth, vi. 230. May. Guthrie, 194. Baillie, ii. 156, 157. 273. This defeat perplexed the theology of that learned man. "I confess I am amazed, and cannot see to my mind's satisfaction, the reasons of the Lord's dealing with that land. What means the Lord, so far against the expectation of the most clear-sighted, to humble us so low, and by his own immediate hand, I confess I know not." Ibid.

instructed the council to watch his conduct, and on the first sign of disobedience to take him into custody; and he ordered the arrest of his friend colonel Legge, and appointed sir Thomas Glenham to succeed him as governor of Oxford. "Tell my sone," he says in a letter to Nicholas, "that I shall lesse grieve to hear that he "is knoked in the head, than that he should doe so "meane an act as is the rendering of Bristoll castell "and fort upon the termes it was*."

- Whilst the king thus mourned over the loss of Bristol, he received still more disastrous intelligence from Scotland. The victory of Kilsyth had dissolved the royal army. The Gordons with their followers had returned to their homes; Colkitto had led back the highlanders to their mountains; and Montrose, with the remnant, not more than 600 men, repaired to the borders to await the arrival of an English force, which had been promised, but not provided, by Charles. In the meanwhile David Leslie had been detached with 4000 cavalry from Sept. the Scottish army in England. He crossed the Tweed,
6. proceeded northward, as if he meant to interpose himself between the enemy and the highlands; and then returned suddenly to surprise them in their encampment at Philipshaugh. Montrose spent the night at Selkirk in preparing despatches for the king: Leslie, who was concealed at no great distance, crossing the
 13. Etrick at dawn, under cover of a dense fog, charged unexpectedly into the camp of the royalists, who lay in heedless security on the Haugh. Their leader, with his guard of horse, flew to their succour; but, after a chivalrous but fruitless effort, was compelled to retire, and abandon them to their fate. The greater part had formed themselves into a compact body, and kept the enemy at bay, till their offer of surrender upon terms had been accepted. But then the ministers loudly de-

* Clarendon, ii. 693. Rushw. vi. 66—82. Journals, vi. 584. Ellis, iii 311. Evelin's Memoirs, ii. App. 108. The suspicion of Legge's fidelity was infused into the royal mind by Digby. Charles wished him to be secured, but refused to believe him guilty without better proof. Ib. 111.

manded their lives: they pronounced the capitulation sinful, and therefore void; and had the satisfaction to behold the whole body of captives massacred in cold blood. Of the noblemen and gentlemen who fled with Montrose, many were also taken; and of these few escaped the hands of the executioner: Montrose himself threaded back his way to the highlands, where he once more raised the royal standard, and, with a small force and diminished reputation, continued to bid defiance to his enemies. At length, in obedience to repeated messages from the king, he dismissed his followers, and reluctantly withdrew to the continent*.

With the defeat of Montrose at Philiphaugh vanished those brilliant hopes with which the king had consoled himself for his former losses; but the activity of his enemies allowed him no leisure to indulge his grief; they had already formed a lodgment within the suburbs of Chester, and threatened to deprive him of that, the only port by which he could maintain a communication with Ireland. He hastened to its relief, and was followed at the distance of a day's journey by Pointz, a parliamentary officer. It was the king's intention that two attacks, one from the city, the other from the country, should be simultaneously made on the camp of the besiegers; and with this view he left the greater part of the royal cavalry at Routenheath, under sir Marmaduke Langdale, while he entered Chester himself with the remainder in the dusk of the evening. It chanced that Pointz meditated a similar attempt with the aid of

Sept.

3.

23.

* Rush, vi. 237. Guthrie, 201. Journals, vi. 584. Wishart, 203. Baillie, ii. 164. They also slew all the women and children found on the haugh; and a few days afterwards drowned about forty more, who had been secured by the country people, throwing them from the bridge near Lidlithgow into the Avon. The Scottish parliament sanctioned these barbarities by an ordinance on December 23d, "that the Irische prisoners taken at and after Philiphaugh, in all the prissons of the kingdom, should be *execut* without aney assyse or processe, conforme to the trettie betwixt both kingdomes." Balfour, iii. 341. Thurloe, i. 72. The next year the garrison of Dunavertie, 300 men, surrendered to David Leslie "at the kingdom's mercie." "They put to the sword," says Turner, "everie mother's soone except one young man, Machoul, whose life I begged." Turner's Memoirs, 46, also 48.

the besiegers, on the force under Langdale; and the singular position of the armies marked the following day with the most singular vicissitudes of fortune.

- Sept. 23. Early in the morning the royalists repelled the troops under Pointz; but a detachment from the camp restored the battle, and forced them to retire under the walls of the city. Here, with the help of the king's guards, they recovered the ascendancy, but suffered themselves in the pursuit to be entangled among lanes and hedges lined with infantry, by whom they were thrown into irremediable disorder. Six hundred troopers fell in the action, more than 1000 obtained quarter, and the rest were scattered in every direction. The next night Charles repaired to Denbigh, collected the fugitives around him, and, skilfully avoiding Pointz, 31. hastened to Bridgenorth, where he was met by his nephew Maurice from the garrison of Worcester*.

- The only confidential counsellor who attended the king in this expedition was lord Digby. That nobleman, unfortunately for the interest of his sovereign, had incurred the hatred of his party: of some, on account of his enmity to prince Rupert; of the general officers, because he was supposed to sway the royal mind, even in military matters; and of all who desired peace, because to his advice was attributed the obstinacy of Charles in continuing the war. It was the common opinion that the king ought to fix his winter quarters at Worcester; but Digby, unwilling to be shut up during four months in a city of which the brother of Rupert was governor, persuaded him to proceed to his usual asylum at Newark. There, observing that the discontent among the officers increased, he parted from his 4. sovereign, but on an important and honourable mission. 12. The northern horse, still amounting to 1500 men, were persuaded by Langdale to attempt a junction with the Scottish hero, Montrose, and to accept of Digby as commander-in-chief. The first achievement of

* Clarendon, ii. 712. Thurloe, i. 73. Rush. vi. 117. Journals, vi. 608.

the new general was the complete dispersion of the parliamentary infantry in the neighbourhood of Doncaster. But in a few days his own followers were dispersed by colonel Copley at Sherburne. They rallied at Skipton, forced their way through Westmoreland and Cumberland, and penetrated as far as Dumfries, but could no where meet with intelligence of their Scottish friends. Returning to the borders, they disbanded near Carlisle, the privates retiring to their homes, the officers transporting themselves to the Isle of Man. Langdale remained at Douglas; Digby proceeded to the marquess of Ormond in Ireland *.

Charles, during his stay at Newark, was made to feel that with his good fortune he had lost his authority. His two nephews, the lord Gerard, and about twenty other officers, entered his chamber, and, in rude and insulting language, charged him with ingratitude for their services, and undue partiality for the traitor Digby. The king lost the command of his temper, and, with more warmth than he was known to have betrayed on any other occasion, bade them quit his presence for ever. They retired, and the next morning received passports to go where they pleased. But it was now time for the king himself to depart. The enemy's forces multiplied around Newark, and the Scots were advancing to join the blockade. In the dead of the night he stole, with 500 men, to Belvoir castle; thence, with the aid of experienced guides, he threaded the numerous posts of the enemy; and on the second day reached, for the last time, the walls of Oxford. Yet if he were there in safety, it was owing to the policy of the parliament, who deemed it more prudent to reduce the counties of Devon and Cornwall, the chief asylum of his adherents. For this purpose Fairfax, with the grand army, sat down before Exeter: Cromwell had long ago swept away the royal garrisons between that city and the metropolis †.

* Clarendon, Hist. ii. 714. Clarendon Papers, ii. 199. Rushw. vi. 131.

† Clarendon, ii. 719—723. Rushw. vi. 80—95. Journals, 671, 672.

The reader will have frequently remarked the king's impatience for the arrival of military aid from Ireland. It is time to notice the intrigue on which he founded his hopes, and the causes which led to his disappointment. All his efforts to conclude a peace with the insurgents had failed through the obstinacy of the ancient Irish, who required as an indispensable condition the legal establishment of their religion *. The catholics, they alleged, were the people of Ireland; they had now regained many of the churches, which, not a century before, had been taken from their fathers; and they could not in honour or conscience resign them to the professors of another religion. Charles had indulged a hope that the lord lieutenant would devise some means of satisfying their demand without compromising the character of his sovereign †; but the scruples or caution of Ormond compelled him to look out for a minister of less timid and more accommodating disposition, and he soon found one in the lord Herbert, a catholic, and son to the marquess of Worcester. Herbert felt the most devoted attachment to his sovereign. He had lived with him for twenty years in habits of intimacy: in conjunction with his father, he had spent above 200,000*l.* in support of the royal cause; and both had repeatedly and publicly avowed their determination to stand or fall with the throne. To him, therefore, the king explained his difficulties, his views, and his wishes. Low as he was sunk, he had yet a sufficient resource left in the two armies in Ireland. With them he might make head against his enemies, and re-establish his authority. But unfortunately this powerful and necessary aid was withheld from him by the obstinacy of the Irish catholics, whose demands were such, that, to grant them publicly would be to forfeit the affection and support of all the protestants in his dominions. He knew but of one way

* Rinuccini's MS. Narrative.

† See the Correspondence in *Cartes Ormond*, ii. App. xv. xviii. xx. xxii. iii. 372. 387. 401. *Charles's Works*, 155.

to elude the difficulty, the employment of a secret and confidential minister, whose credit with the catholics would give weight to his assurances, and whose loyalty would not refuse to incur danger or disgrace for the benefit of his sovereign. Herbert cheerfully tendered his services. It was agreed that he should negotiate with the confederates for the immediate aid of an army of 10,000 men; that, as the reward of their willingness to serve the king, he should make to them certain concessions on the point of religion; that these should be kept secret, as long as the disclosure might be likely to prejudice the royal interests; and that Charles, in the case of discovery, should be at liberty to disavow the proceedings of Herbert, till he might find himself in a situation to despise the complaints and the malice of his enemies*.

For this purpose Herbert (now created earl of Glamorgan) was furnished, 1°. with a commission to levy 2. men, to coin money, and to employ the revenues of the crown for their support; 2°. with a warrant to grant on Mar. certain conditions to the catholics of Ireland such con- 12. cessions as it was not prudent for the king or the lieutenant openly to make; 3°. with a promise on the part of Charles to ratify whatever engagements his envoy might conclude, even if they were contrary to law; 4°. and with different letters for the pope, the nuncio, and the several princes from whom subsidies might be expected. But care was taken that none of these documents should come to the knowledge of the council. The commission was not sealed in the usual manner; the names of the persons to whom the letters were to be addressed were not inserted; and all the papers were in several respects informal; for this purpose, that the king might have a plausible pretext to deny their authenticity in the event of a premature disclosure†.

Glamorgan proceeded on his chivalrous mission, and after many adventures and escapes, landed in safety in

* Clarendon Papers, ii. 201.

† See the authorities in note (C).

Ireland. That he communicated the substance of his instructions to Ormond, cannot be doubted; and, if there were aught in his subsequent proceedings of which the lord lieutenant remained ignorant, that ignorance was affected and voluntary*. At Dublin both joined in the negociation with the catholic deputies: from Dublin Glamorgan proceeded to Kilkenny, where the supreme council, satisfied with his authority, and encouraged by the advice of Ormond, concluded with him a treaty, by Aug. which it was stipulated that the catholics should enjoy
 25. the public exercise of their religion, and retain all churches, and the revenues of churches, which were not actually in possession of the established clergy; and that in return they should, against a certain day, supply the king with a body of ten thousand armed men, and should devote two thirds of the ecclesiastical revenues to his service during the war†.

To the surprise of all who were not in the secret, the public treaty now proceeded with unexpected facility. The only point in debate, between the lord lieutenant and the deputies, respected their demand to be relieved by act of parliament from all penalties for the performance of the divine service and the administration of the sacraments, after any other form than that of the established church. Ormond was aware of their ulterior

* See the same.

† Dr. Leyburn, who was sent by the queen to Ireland in 1647, tells us on the authority of the nuncio and the bishop of Clogher, "that my lord of Worcester (Glamorgan) was ready to justify that he had exactly followed his instructions, and particularly that concerning the lord lieutenant, whom he had made acquainted with all that he had transacted with the Irish, of which he could produce proof." Birch, Inquiry, 322. Nor will any one doubt it, who attends to the letter of Ormond to lord Muskerry on the 11th of August, just after the arrival of Glamorgan at Kilkenny, in which, speaking of Glamorgan, he assured him, and through him the council of the confederates, that he knew "no subject in England upon whose favour and authority with his majesty they can better rely than upon his lordship's, nor . . . with whom he (Ormond) would sooner agree for the benefit of this kingdom." (Birch, 62). And another to Glamorgan himself on Feb. 11th, in which he says, "your lordship may securely go on in the way you have proposed to yourself, to serve the king, without fear of interruption from me, or so much as inquiring into the means you work by." Ibid. 163. See also another letter, of April 6th, in Leland, iii. 283.

object: he became alarmed, and insisted on a proviso, that such article should not be construed to extend to any service performed, or sacraments administered, in cathedral or parochial churches. After repeated discussions, two expedients were suggested; one, that in place of the disputed article should be substituted another, providing that any concession with respect to religion which the king might afterwards grant should be considered as making part of the present treaty; the other, that no mention should be made of religion at all, but that the lieutenant should sign a private engagement, not to molest the catholics in the possession of those churches which they now held, but leave the question to the decision of a free parliament. To this both parties assented; and the deputies returned to Kilkenny to submit the result of the conferences to the judgment of the general assembly*. Nov. 11.

But before this, the secret treaty with Glamorgan, which had been concealed from all but the leading members of the council, had by accident come to the knowledge of the parliament. About the middle of Oct. 17. October, the titular archbishop of Tuam was slain in a skirmish between two parties of Scots and Irish near Sligo; and in the carriage of the prelate were found duplicates of the whole negotiation. The discovery was kept secret; but at Christmas Ormond received a copy of these important papers from a friend, with an intimation that the originals had been for some weeks in possession of the committee of both nations in London. It was evident that to save the royal reputation some decisive measure must be immediately taken. A council was called. Digby complained of the presumption of Glamorgan in negotiating the treaty without authority from the sovereign, or the participation of the lord lieutenant; and that nobleman was ordered into close custody in the castle, under a charge of suspicion of high treason. The council despatched an account of

* Compare Carte, i. 548, with *Vindiciæ*, Cath. Hib. II. 13.

these proceedings to Charles ; and Digby, who had considered himself as confidential minister, and looked on the concealment which had been practised towards him as a personal affront, expressed his sentiments with a warmth and freedom not the most grateful to the royal feelings *.

The unfortunate monarch was still at Oxford devising new plans, and indulging new hopes. The dissensions among his adversaries had assumed a character of violence and importance which they had never before borne. The Scots, irritated by the systematic opposition of the independents, and affected delays of the parliament, and founding the justice of their claim on the solemn league and covenant confirmed by the oaths of the two nations, insisted on the legal establishment of presbyterianism, and the exclusive prohibition of every other form of worship. They still ruled in the synod of divines ; they were seconded by the great body of ministers in the capital, and by a numerous party among the citizens ; and they confidently called for the aid of the majority in the two houses, as of their brethren of the same religious persuasion. But their opponents, men of powerful intellect and invincible spirit, were supported by the swords and the merits of a conquering army. Cromwell, from the field of Naseby, had written to express his hope, that the men who had achieved so glorious a victory might be allowed to serve God according to the dictates of their consciences. Fairfax, in his despatches, continually pleaded in favour of toleration. Seldon and Whitelock warned their colleagues to beware how they erected among them the tyranny of a presbyterian kirk ; and many in the two houses began to maintain that Christ had established no particular

* Rushworth, vi. 239, 240. Carte's Ormond, iii. 436—440. " You do not believe," writes Hyde to secretary Nicholas, " that my lord Digby knew of my lord Glamorgan's commission and negotiation in Ireland. I am confident he did not ; for he shewed me the copies of letters which he had written to the king upon it, which ought not in good manners to have been written ; and I believe will not be forgiven to him, by those for whose service they were written." Clarendon Papers, ii. 346.

form of church government, but had left it to be settled under convenient limitations by the authority of the state*. Nor were their altercations confined to religious matters. The decline of the royal cause had elevated the hopes of the English leaders. They no longer disguised their jealousy of the projects of their Scottish allies; they accused them of invading the sovereignty of England by placing garrisons in Belfast, Newcastle, and Carlisle; and complained that their army served to no other purpose than to plunder the defenceless inhabitants. The Scots haughtily replied, that the occupation of the fortresses was necessary for their own safety; and that, if disorders had occasionally been committed by the soldiers, the blame ought to attach to the negligence or parsimony of those who had failed in supplying the subsidies to which they were bound by treaty. The English commissioners remonstrated with the parliament of Scotland, the Scottish with that of England; the charges were reciprocally made and repelled in tones of asperity and defiance; and the occurrences of each day seemed to announce a speedy rupture between the two nations. Hitherto their ancient animosities had been lulled asleep by the conviction of their mutual dependence: the removal of the common danger called them again into activity†.

To a mind like that of Charles, eager to multiply experiments, and prone to believe improbabilities, the hostile position of these parties opened a new field for intrigue. He persuaded himself that by gaining either, he should be enabled to destroy both‡. He therefore tempted the independents with promises of ample rewards and unlimited toleration; and at the same time sought to win the Scots by professions of his willingness to

* Baillie, ii. 111, 161. 169. 183. Rushw. vi. 46. 85. Whitelock, 69. 172. Journals, vii. 434. 476. 620.

† Journals, vii. 573. 619. 640—643. 653. 668. 639. 697. 703. viii. 27. 97. Baillie, ii. 161. 162. 166. 171. 185. 188.

‡ "I am not without hope that I shall be able to draw either the presbyterians or independents to side with me for extirpating the one the other, that I shall be really king again." Carte's Ormond, iii. 452.

accede to any terms compatible with his honour and conscience. Their commissioners in London had already made overtures for an accommodation to queen Henrietta in Paris; and the French monarch, at her suggestion, 1645. had intrusted Montreuil with the delicate office of nego-
Aug. ciating secretly between them and their sovereign. From Montreuil Charles understood that the Scots would afford him an asylum in their army, and declare in his favour, if he would assent to the three demands made of him during the treaty at Uxbridge; a proposal which both Henrietta and the queen regent of France thought so moderate in existing circumstances, that he would accept it with eagerness and gratitude. But the king, in his own judgment, gave the preference to a project of accommodation with the independents, because they asked only for toleration, while the Scots sought to force their own creed on the consciences of others; nor did he seem to comprehend the important fact, that the latter were willing at least to accept him for their king, while the former aimed at nothing less than the entire subversion of his throne*.

From Oxford he had sent several messages to the par-
Dec. liament, by one of which he demanded passports for
5. commissioners, or free and safe access for himself. To
15. all a refusal was returned, on the ground that he had
26. employed the opportunity afforded him by former treaties
29. to tempt the fidelity of the commissioners, and that it
1646. was unsafe to indulge him with more facilities for con-
Jan. ducting similar intrigues. Decency, however, required
15. that in return the two houses should make their pro-
17. posals; and it was resolved to submit to him certain articles for his immediate and unqualified approval or rejection. The Scots contended in favour of the three original propositions: but their opponents introduced several important alterations, for the twofold purpose, first of spinning out the debates, till the king should be surrounded in Oxford, and secondly of making such

* Clarendon Papers, ii. 209—211. Baillie, ii. 188. Thurloe, i. 72. 3. 85.

additions to the severity of the terms as might ensure their rejection*.

Under these circumstances Montreuil admonished him that he had not a day to spare; that the independents sought to deceive him to his own ruin; that his only resource was to accept of the conditions offered by the Scots; and that, whatever might be his persuasion respecting the origin of episcopacy, he might, in his present distress, conscientiously assent to the demand respecting presbyterianism; because it did not require him to introduce a form of worship which was not already established, but merely to allow that to remain which he had not the power to remove. Such, according to his instructions, was the opinion of the queen regent of France, and such was the prayer of his own consort, Henrietta Maria. But no argument could shake the royal resolution†. He returned a firm but temperate Jan. refusal, and renewed his request for a personal conference at Westminster. The message was conveyed in terms as energetic as language could supply, but it arrived at a most unpropitious moment, the very day on which the committee of both kingdoms thought proper to communicate to the two houses the papers respecting the treaty between Glamorgan and the catholics of Ireland. Amidst the ferment and exasperation produced by the disclosure, the king's letter was suffered to remain unnoticed‡.

The publication of these important documents imposed 29 on Charles the necessity of vindicating his conduct to his protestant subjects; a task of no very easy execution, had he not availed himself of the permission which he had formerly extorted from the attachment of Gla-

* Charles's Works, 548—550. Journals, viii. 31. 45. 53. 72. Baillie, ii. 144. 173. 177. 184. 190.

† Clarendon Papers, ii. 211—214. "Let not my enemies flatter themselves so with their good successes. Without pretending to prophesy, I will fortel their ruin, except they agree with me, however it shall please God to dispose of me."

‡ Clarendon Papers, ii. 213. Journals, viii. 103. 125.—Commons, iv. Jan. 16. 26. Charles's Works, 551. Baillie, ii. 185.

Jan. 31. morgan. In an additional message to the two houses, he protested that he had never given to that nobleman any other commission than to enlist soldiers, nor authorized him to treat on any subject without the privity of the lord lieutenant; that he disavowed all his proceedings and engagements with the catholics of Ireland; and that he had ordered the privy council in Dublin to proceed against him for his presumption according to law *. That council, however, or at least the lord lieutenant, was in possession of a document unknown to the parliament, a copy of the warrant by which Charles had engaged to confirm whatever Glamorgan should promise in the royal name. On this account, in his answer to Ormond, he was compelled to shift his ground, and to assert that he had no recollection of any such warrant; that it was indeed possible he might have furnished the earl with some credential to the Irish catholics; but that if he did, it was only with an understanding that it should not be employed without the knowledge and the approbation of the lord lieutenant. Whoever considers the evasive tendency of these answers, will find in them abundant proof of Glamorgan's pretensions †.

That nobleman had already recovered his liberty. To prepare against subsequent contingencies, and to leave the king what he termed "a starting hole," he had been careful to subjoin to his treaty a secret article called a defeasance, stipulating that the sovereign should be no further bound than he himself might think proper, after he had witnessed the efforts of the catholics in his favour; but that Glamorgan should conceal this release from the royal knowledge till he had made every exertion in his power to procure the execution of the treaty ‡. This extraordinary instrument he now produced in his own vindication: the council ordered him to be discharged

* Journals, viii. 132. Charles's Works, 555.

† Carte, iii. 445—448.

‡ Compare Carte, i. 551, with the *Vindiciæ*, 17. Neither of these writers gives us a full copy of the defeasance. In the *Vindiciæ* we are told that it was this which procured Glamorgan's discharge from prison.

upon bail for his appearance when it might be required ; Jan. 22. and he hastened, under the approbation of the lord lieutenant, to resume his negociation with the catholics at Kilkenny. He found the general assembly divided into two parties. The clergy, with their adherents, opposed the adoption of any peace, in which the establishment of the catholic worship was not openly recognized ; and their arguments were strengthened by the recent imprisonment of Glamorgan, and the secret influence of the papal nuncio Rinuccini, archbishop and prince of Fermo, who had lately landed in Ireland. On the other hand, the members of the council and the lords and gentlemen of the pale, strenuously recommended the adoption of one of the two expedients which have been previously mentioned, as offering sufficient security for the church, and the only means of uniting the protestant royalists in the same cause with the catholics. At the suggestion of the nuncio the decision was postponed to the month of May ; but Glamorgan did not forget the necessities of his sovereign ; he obtained an immediate aid of six thousand men, and the promise of a considerable reinforcement, and proceeded to Waterford for the purpose of attempting to raise the siege of Chester. There, while he waited the arrival of transports, he received the news of the public disavowal of his authority by the king. But this gave him little uneasiness : he attributed it to the real cause, the danger with which Charles was threatened ; and he had been already instructed “ to make no other account of such declarations, than to put himself in a condition to help his master and set him free*.” In a short time the more distressing intelligence arrived that Chester had surrendered : the fall of Chester was followed by the dissolution of the royal army in Cornwall, under the command of lord Hopton ; and the prince of Wales, unable to remain there with safety, fled first to Scilly and thence to Jersey. There remained not a spot on the English

* Birch, 189.

coast where the Irish auxiliaries could be landed with any prospect of success. Glamorgan dispersed his army. Three hundred men accompanied the lord Digby to form a guard for the prince; a more considerable body proceeded to Scotland in aid of Montrose; and the remainder returned to their former quarters*.

- In the mean while the king continued to consume his time in unavailing negotiations with the parliament, the Scots, and the independents. 1°. He had been persuaded that there were many individuals of considerable influence both in the city and the two houses, who anxiously wished for such an accommodation as might heal the wounds of the country: that the terror inspired by the ruling party imposed silence on them for the present; but that, were he in London, they would joyfully rally around him, and by their number and union compel his adversaries to lower their pretensions. This it was that induced him to solicit a personal conference at Westminster. He now repeated the proposal, and,
- Jan. 29. to make it worth acceptance, offered to grant full toleration to every class of protestant dissenters, to yield to the parliament the command of the army during seven years, and to make over to them the next nomination of the lord admiral, the judges, and the officers of state.
- Mar. 23. The insulting silence with which this message was treated did not deter him from a third attempt. He asked whether, if he were to disband his forces, dismantle his garrisons, and return to his usual residence in the

* Had Glamorgan's intended army of 10,000 men landed in England, the war would probably have assumed a most sanguinary character. An ordinance had passed the houses, that no quarter should be given to any Irishman, or any papist born in Ireland; that they should be excepted out of all capitulations; and that whenever they were taken, they should forthwith be put to death. (Rushw. v. 729. Oct. 24, 1644.) By the navy this was vigorously executed. The Irish sailors were invariably bound back to back, and thrown into the sea. At land we read of twelve Irish soldiers being hanged by the parliamentarians, for whom prince Rupert hanged twelve of his prisoners. (Clarendon, ii. 623.) After the victory of Naseby, Fairfax referred the task to the two houses. He had not, he wrote, time to inquire who were Irish and who were not, but had sent all the prisoners to London, to be disposed of according to law. (Journals, vii. 433.)

vicinity of the parliament, they, on their part, would pass their word for the preservation of his honour, person, and estate, and allow his adherents to live without molestation on their own property. Even this proposal could not provoke an answer. It was plain that his enemies dared not trust their adherents in the royal presence; and, fearing that he might privately make his way into the city, they published an ordinance, that if the king ^{Mar.} came within the lines of communication, the officer of ^{31.} the guard should conduct him to St. James's, imprison his followers, and allow of no access to his person; and at the same time they gave notice by proclamation that all catholics, and all persons who had borne arms in the king's service, should depart within six days, under the penalty of being proceeded against as spies according to martial law*.

2°. In the negociation still pending between Montreuil and the Scottish commissioners, other matters were easily adjusted: but the question of religion presented an unsurmountable difficulty, the Scots insisting that the presbyterian form of church government should be established in all the three kingdoms; the king consenting that it should retain the supremacy in Scotland, but refusing to consent to the abolition of episcopacy in England and Ireland†. To give a colour to the agency of Montreuil, Louis had appointed him the French ^{Feb.} resident in Scotland; and in that capacity he applied ^{16.} for permission to pass through Oxford on his way, that he might deliver to the king letters from his sovereign and the queen regent. Objections were made; delays were created; but after the lapse of a fortnight, he obtained ^{Mar.} a passport from the committee of the two kingdoms‡, ^{7.} and employed his time at Oxford in persuading the king of the necessity of concession, and in soliciting from the Scottish commissioners authority to assure him of safety

* Charles's Works, 556. 557. Rushworth, vi. 249. Journals, March 31, 1646. Carle's Ormond, iii. 452.

† Clarendon Pap. ii. 209—215.

‡ Lords' Journ. viii. 171. Commons, Feb. 16. 28. Mar. 4, 5. 7.

as to person and conscience in the Scottish army. On April the first of April he received from Charles a written

1. engagement, that he would take with him to their quarters before Newark "no man excepted by parliament, but only his nephews and Ashburnham," and that he would then listen to instruction in the matter of religion, and concede as far as his conscience would permit *. In return Montreuil pledged to him the word of his sovereign and the queen regent of France †, that the Scots should receive him as their natural king, should offer no violence to his person or conscience, his servants or followers, and should join their forces and endeavours with his to procure "a happy and well-grounded peace. On this understanding it was agreed, that the king should attempt on the night of the following Tuesday to break through the parliamentary force lying round Oxford, and that at the same time a body of 300 Scottish cavalry should advance as far as Harborough, to receive him, and escort him in safety to their own army ‡.

3. Two days later Montreuil resumed his pretended journey to Scotland, and repaired to Southwell within the quarters assigned to the Scots. That they might without inconvenience spare a large escort to meet the king, he had brought with him a royal order to lord Belasyse to

* Of this paper there were two copies, one to be kept secret containing a protestation that none of the king's followers should be ruined or dishonoured; the other to be shown, containing no such protestation. "Eu l'un desquels, qui m'a esté donné pour faire voir, la protestation n'estoit point. Faite à Oxford ce premier Avril, 1646. Clarend. Pap. ii. 220.

† Why so? It had been so settled in Paris, because the negotiation was opened under their auspices, and conducted by their agent. Clarend. Hist. ii. 750. Papers, ii. 209.

‡ Ibid, 220—2. It had been asked whether Montreuil had any authority from the Scottish commissioners to make such an engagement. I see no reason to doubt it. Both Charles and Montreuil must have been aware, that an unauthorized engagement could have offered no security to the king in the hazardous attempt which he meditated. We find him twice, before the date of the engagement, requiring the commissioners to send *powers* to Montreuil to assure him of safety in person and conscience in their army (Clarendon Pap. ii. 218.), and immediately afterwards informing Ormond that he was going to the Scottish army because he had lately received "very good security" that he and his friends should be safe in person, honour, and conscience. See the letter in Lords' Journals, viii. 366, and account of a letter from the king to lord Belasyse in Pepys, ii. 246.

surrender Newark into their hands ; but, to his surprise and dismay, he found that the commissioners to the army affected to be ignorant of the authority exercised by him at Oxford, and refused to take upon themselves the responsibility of meeting and receiving the king. They objected that it would be an act of hostility towards the parliament, a breach of the solemn league and covenant between the nations : nor would they even allow him to inform Charles of their refusal, till they should have a personal conference with their commissioners in London. In these circumstances he burnt the order for the surrender of Newark ; and the king, alarmed at his unaccountable silence, made no attempt to escape from Oxford. A fortnight was passed in painful suspense. At last the two bodies of commissioners met at Royston ; and the result of a long debate was a sort of compromise between the opposite parties that the king should be received, but in such manner that all appearance of previous treaty or concert might be avoided ; that he should be requested to give satisfaction on the question of religion as speedily as possible, and that no co-operation of the royal forces with the Scots should be permitted. At first Montreuil, in the anguish of disappointment, was of opinion that no faith was to be put in the word of a Scotsman : now he thought that he discovered a gleam of hope in the resolution taken at Royston, and advised the king to accept the proposal, if no better expedient could be devised. It held out a prospect of safety, though it promised nothing more *.

April
11.16.
18.
20.

3°. During this negociation the unfortunate monarch, though warned that, by treating at the same time with two opposite parties, he ran the risk of forfeiting the confidence of both, had employed Ashburnham to make proposals to the independents through Sir Henry Vane. What the king asked from them was to facilitate his access to parliament. Ample rewards were held out to

* These particulars appear in the correspondence in Clarendon Papers, 221—6. Montreuil left Oxford on Friday : therefore on the 3rd.

Mar. Vane, "to the gentleman, who was quartered with him *,"

2. and to the personal friends of both: and an assurance was given, that if the establishment of presbyterianism were still made an indispensable condition of peace, the king would join his efforts with theirs "to root out of "the kingdom that tyrannical government." From the remains of the correspondence it appears that to the first communication Vane had replied in terms which, though not altogether satisfactory, did not exclude the hope of his compliance; and Charles wrote to him a second time, repeating his offers, describing his distress, and stating that, unless he received a favourable answer within four days, he must have recourse to some other expedient †. The negotiation, however, continued for weeks; it was even discovered by the opposite party, April who considered it as an artful scheme on the part of
23. the independents to detain the king in Oxford, till Fairfax and Cromwell should bring up the army from Cornwall; to amuse the royal bird, till the fowlers had enclosed him in their toils ‡.

Oxford during the war had been rendered one of the strongest fortresses in the kingdom. On three sides the waters of the Isis and the Charwell, spreading over the adjoining country, kept the enemy at a considerable distance, and on the north the city was covered with a succession of works, erected by the most skilful engineers. With a garrison of 5000 men, and a plentiful supply of stores and provisions, Charles might have protracted his

* This gentleman might be Fairfax or Cromwell; but from a letter of Baillie (ii. 199. Ap. 3.) I should think that he was an "independent minister," probably Peters.

† See two letters, one of March 2, from Ashburnham, beginning, "Sir, you cannot suppose the work is done," and another without date from Charles, beginning "Sir, I shall only add this word to what was said in "my last." They were first published from the papers of secretary Nicholas, by Birch, in 1764, in the preface to a collection of "letters "between Col. Hammond and the committee at Derby House, &c.," and afterwards in the Clarendon Papers, ii. 226, 227.

‡ See Baillie, Ap. 3. Ap. 23. ii. 199. 203. "Their daily treaties with "Ashburnham to keep the king still, till they deliver him to sir Thomas "Fairfax, and to be disposed upon as Cromwell and his friend think it "fittest for their affairs." Ibid. A different account is given in the continuation of Macintosh, vi. 21.

fate for several months; yet the result of a siege must have been his captivity. He possessed no army; he had no prospect of assistance from without; and within, famine would in the end compel him to surrender. But where was he to seek an asylum?

Indignant at what he deemed a breach of faith in the Scots, he spurned the idea of throwing himself on their mercy; and the march of Fairfax with the advanced guard of his army towards Andover admonished him that it was time to quit the city of Oxford. First he inquired by two officers the opinion of Ireton, who was April quartered at Waterstock, whether, if he were to dis- 22. band his forces, and to repair to the general, the parliament would suffer him to retain the title and authority of king. Then, receiving no answer from Ireton, 25. he authorized the earl of Southampton to state to colonel Rainborowe, that the king was ready to deliver himself up to the army, on receiving a pledge that his personal safety should be respected *. But Rainborowe referred him to the parliament; and the unhappy monarch, having exhausted every expedient which he could devise, left Oxford at midnight, disguised as a servant, following 26. his supposed master Ashburnham, who rode before in company with Hudson, a clergyman, well acquainted 27. with the country. They passed through Henley and Brentford to Harrow; but the time which was spent on the road proved either that Charles had hitherto formed no plan in his own mind, or that he lingered with the hope of some communication from his partisans in the metropolis. At last he turned in the direction of St. Alban's; and, avoiding that town, hastened through bye ways to Harborough. If he expected to find there a 28. body of Scottish horse, or a messenger from Montreuil, he was disappointed. Crossing by Stamford he rested at Downham, and spent two or three days in fruitless 30. inquiries for a ship which might convey him to Newcastle or Scotland, whilst Hudson repaired to the French

* Hearne's *Dunstable*, ii. 787-790.

agent at Southwell, and returned the bearer of a short note sent by Montreuil, from whom the messenger understood that the Scots had pledged their word—they would give no written document—to fulfil on their part the original engagement made in their name at Oxford *. On this slender security—for he had no alternative—he repaired to the lodgings of Montreuil early in the morning, and about noon was conducted by a troop of horse to the head quarters at Kelham. Leslie and his officers, though they affected the utmost surprise, treated him with the respect due to their sovereign; and Loudon in the name of the commissioners required that he should take the covenant, should order lord Belasyse to surrender Newark, and should despatch a messenger with the royal command to Montrose to lay down his arms. Charles soon discovered that he was a prisoner, and when, to make the experiment, he undertook to give the word to the guard, he was interrupted by Leven, who said: “I am the older soldier, sir; your “majesty had better leave that office to me †.”

For ten days the public mind in the capital had been agitated by the most contradictory rumours: the moment the place of the king's retreat was ascertained, both presbyterians and independents united in condemning the perfidy of their northern allies. Menaces of immediate hostilities were heard. Poyntz received orders to watch the motions of the Scots with 5000 horse; and

* The Scots had made three offers or promises to the king. The first and most important was the engagement of the 1st of April. But the Scottish commissioners with the army shrunk from the responsibility of carrying it into execution; and, as it appears to me, with some reason, for they had not been parties to the contract. The second was the modified offer agreed upon by both bodies of commissioners at Royston. But this offer was never accepted by the king, and consequently ceased to be binding upon them. The third was the verbal promise mentioned above. If it was made—and of a promise of safety there can be no doubt, though we have only the testimony of Hudson—the Scots were certainly bound by it, and must plead guilty to the charge of breach of faith, by subsequently delivering up the fugitive monarch to the English parliament.

† Peck, Desid. Curios. l. x. No. 8. Ashburnham, ii. 76. Rushworth, vi. 266, 267. 276. Clarendon, Hist. iii. 12.; papers, ii. 228. Turner, Mem. 41.

it was resolved that Fairfax should follow with the remainder of the army. But the Scottish leaders, anxious to avoid a rupture, and yet unwilling to surrender the royal prize, broke up their camp before Newark, and retired with precipitation to Newcastle. Thence by dint of protestations and denials they gradually succeeded in allaying the ferment *. Charles contributed his share, by repeating his desire of an accommodation, and requesting the two houses to send to him the propositions of peace; and, as an earnest of his sincerity, he despatched a circular order to his officers to surrender the few fortresses which still maintained his cause. June The war was at an end; Oxford, Worcester, Pendennis, 10. and Ragland opened their gates; and to the praise of the conquerors it must be recorded, that they did not stain their laurels with blood. The last remnants of the royal army obtained honourable terms from the generosity of Fairfax; easy compositions for the redemption of their estates were held out to the great majority of the royalists; and the policy of the measure was proved by the number of those who hastened to profit by the indulgence, and thus extinguished the hopes of the few, who still thought it possible to conjure up another army in defence of the captive monarch †.

While the two houses, secure of victory, debated at their leisure the propositions to be submitted for acceptance to the king, the Scots employed the interval

* See their messages in the Lords' Journals, viii. 307, 8. 11. 64. Hearne's *Dunstable*, ii. 790—800. They protest that they were astonished at the king's coming to their army: that they believed he must mean to give satisfaction, or he would never have come to them; that his presence would never induce them to act in opposition to the solemn league and covenant; that they should leave the settlement of all questions to the parliaments of the two nations; that there had been no treaty between the king and them; and that the assertion in the letter published by Ormond was "a damnable untruth."

† Journals, viii. 309. 329. 360. 374. 475. Baillie, ii. 267. 209. Rush. vi. 280—297. The last who submitted to take down the royal standard was the marquess of Worcester. He was compelled to travel, at the age of eighty, from Ragland castle to London, but died immediately after his arrival. As his estate was under sequestration, the lords ordered a sum to be advanced for the expenses of his funeral. Journals, viii. 498. 616. See note (D) at the end of the volume.

in attempts to convert him to the presbyterian creed. For this purpose, Henderson, the most celebrated of their ministers, repaired from London to Newcastle. The king, according to his promise, listened to the arguments of his new instructor; and an interesting controversy respecting the divine institution of episcopacy and presbyteracy, was maintained with no contemptible display of skill between the two polemics. Whether Charles composed without the help of a theological monitor the papers, which on this occasion he produced, may perhaps be doubted: but the author, whoever he were, proved himself a match, if not more than a match, for his veteran opponent*. The Scottish leaders, however, came with political arguments to the aid of their champion. They assured the king that his restoration to the royal authority, or his perpetual exclusion from the throne, depended on his present choice. Let him take the covenant, and concur in the establishment of the directory, and the Scottish nation to a man, the English, with the sole exception of the independents, would declare in his favour. His conformity in that point alone could induce them to mitigate the severity of their other demands, to replace him on the throne of his ancestors, and to compel the opposite faction to submit. Should he refuse, he must attribute the consequences to himself. He had received sufficient warning: they had taken the covenant, and must discharge their duty to God and their country.

* The following was the chief point in dispute. Each had alleged texts of Scripture in support of his favourite opinion, and each explained those texts in an opposite meaning. It was certainly as unreasonable that Charles should submit his judgment to Henderson, as that Henderson should submit his to that of Charles. The king, therefore, asked who was to be judge between them. The divine replied, that Scripture could only be explained by Scripture, which, in the opinion of the monarch, was leaving the matter undecided. He maintained that antiquity was the judge. The church government established by the apostles must have been consonant to the meaning of the Scripture. Now, as far as we can go back in history, we find episcopacy established: whence it is fair to infer that episcopacy was the form established by the apostles. Henderson did not allow the inference. The church of the Jews had fallen into idolatry during the short absence of Moses on the mount, the church of Christ might have fallen into error in a short time after the death of the apostles. Here the controversy ended with the sickness and death of the divine. See Charles's Works, 75—90.

It was believed then, it has often been repeated since, that the king's refusal originated in the wilfulness and obstinacy of his temper; and that his repeated appeals to his conscience were mere pretexts to disguise his design of replunging the nation into the horrors from which it had so recently emerged. But this supposition is completely refuted by the whole tenor of his secret correspondence with his queen and her council in France. He appears to have divided his objections into two classes, political and religious. 1°. It was, he alleged, an age in which mankind were governed from the pulpit: whence it became an object of the first importance to a sovereign, to determine to whose care that powerful engine should be intrusted. The principles of presbyterianism were anti-monarchical; its ministers openly advocated the lawfulness of rebellion; and, if they were made the sole dispensers of public instruction, he and his successors might be kings in name, but would be slaves in effect. The wisest of those who had swayed the sceptre since the days of Solomon had given his sanction to the maxim "no bishop no king;" and his own history furnished a melancholy confirmation of the sagacity of his father. 2°. The origin of episcopacy was a theological question, which he had made it his business to study. He was convinced that the institution was derived from Christ, and that he could not in conscience commute it for another form of church government devised by man. He had found episcopacy in the church at his accession; he had sworn to maintain it in all its rights; and he was bound to leave it in existence at his death. Once, indeed, to please the two houses, he had betrayed his conscience by assenting to the death of Strafford: the punishment of that transgression still lay heavy on his head; but should he, to please them again, betray it once more, he would prove himself a most incorrigible sinner, and deserve the curse both of God and man*.

* For all these particulars, see the Clarendon Papers, ii. 243. 248. 256.

The king had reached Newark in May : it was the end of July before the propositions of peace were submitted to his consideration. The same in substance with those of the preceding year, they had yet been aggravated by new restraints, and a more numerous list of proscriptions. On the tenth day, the utmost limit of the time allotted to the commissioners, Charles replied, that it was impossible for him to return an unqualified assent to proposals of such immense importance ; that without explanation he could not comprehend how much of the ancient constitution it was meant to preserve, how much to take away ; that a personal conference was necessary for both parties, in order to remove doubts, weigh reasons, and come to a perfect understanding ; and that for this purpose it was his intention to repair to Westminster whenever the two houses and the Scottish commissioners would assure him that he might reside there with freedom, honour, and safety*.

This message, which was deemed evasive, and therefore unsatisfactory, filled the independents with joy, the presbyterians with sorrow. The former disguised no longer their wish to dethrone the king, and either to set up in his place his son the duke of York, whom the surrender of Oxford had delivered into their hands, or, which to many seemed preferable, to substitute a republican for a monarchical form of government. The Scottish commissioners sought to allay the ferment, by diverting the attention of the houses. They expressed their readiness not only to concur in such measures as the obstinacy of the king should make necessary, but on the receipt of a compensation for their past services, to withdraw their army into their own country. The offer was cheerfully accepted ; a committee assembled to

260. 263. 265. 274. 277. 295. Baillie, ii. 208. 209. 214. 218. 219. 236. 241. 242. 243. 249.

* Journals, viii. 423. 447. 460. The king now wished to escape from the Scots. Ashburnham was instructed to sound Pierpoint, one of the Parliamentarian commissioners, but Pierpoint refused to confer with him. Ashburn. ii. 78.

balance the accounts between the nations ; many charges on both sides were disputed and disallowed ; and at last Sept. the Scots agreed to accept 400,000*l.*, in lieu of all de- 5.
mands, of which one half should be paid before they left England, the other after their arrival in Scotland *.

At this moment an unexpected vote of the two houses gave birth to a controversy unprecedented in history. It 21.
was resolved that the right of disposing of the king belonged to the parliament of England. The Scots hastened to remonstrate. To dispose of the king was an ambiguous term ; they would assume that it meant to determine where he should reside, until harmony was restored between him and his people. But it ought to be remembered that he was king of Scotland as well as of England ; that each nation had an interest in the royal person ; both had been parties in the war ; both had a right to be consulted respecting the result. The English, on the contrary, contended that the Scots were not parties but auxiliaries, and that it was their duty to execute the orders of those whose bread they ate, and whose money they received. Scotland was certainly an independent kingdom. But its rights were confined within its own limits ; it could not claim, it should not exercise, any authority within the boundaries of England. This altercation threatened to dissolve the union between the kingdoms. Conferences were repeatedly held. The Oct. Scots published their speeches ; the commons ordered 1.
the books to be seized, and the printers to be imprisoned ; 7.

* Journals, viii. 461. 485 Baillie, ii. 222. 223. 225. 267. Rush. vi. 322—326. To procure the money, a new loan was raised in the following manner. Every subscriber to former loans on the faith of parliament, who had yet received neither principal nor interest, was allowed to subscribe the same sum to the present loan, and, in return both sums with interest were to be secured to him on the grand excise, and the sale of the bishops' lands. For the latter purpose, three ordinances were passed, one disabling all persons from holding the place, assuming the name, and exercising the jurisdiction of archbishops or bishops within the realm, and vesting all the lauds belonging to archbishops and bishops in certain trustees, for the use of the nation (Journals, 515.) ; another securing the debts of subscribers on these lands (ibid. 520.) ; and a third appointing persons to make contracts of sale, and receive the money. Journals of Commons, Nov. 16.

and each party obstinately refused either to admit the pretensions of its opponents, or even to yield to a compromise. But that which most strongly marked the sense of the parliament, was a vote providing money for the payment of the army during the next six months; a very intelligible hint of their determination to maintain their claim by force of arms, if it were invaded by the presumption of their allies *.

This extraordinary dispute, the difficulty of raising an immediate loan, and the previous arrangements for the departure of the Scots, occupied the attention of the two houses during the remainder of the year. Charles had sufficient leisure to reflect on the fate which threatened him. His constancy seemed to relax; he consulted the bishops of London and Salisbury; and successively proposed several unsatisfactory expedients, of which the object was to combine the toleration of episcopacy with the temporary or partial establishment of presbyterianism. The lords voted that he should be allowed to reside at Newmarket; but the commons refused their consent; and ultimately both houses fixed on Holmby, in the vicinity of Northampton †. No notice was taken of the security which he had demanded for his honour and freedom, but a promise was given that respect should be had to the safety of his person in the defence of the true religion and the liberties of the two kingdoms, according to the solemn league and covenant. This vote was communicated to the Scottish commissioners at Newcastle, who replied that they awaited the commands of their own parliament ‡.

In Scotland the situation of the king had been the subject of many keen and animated debates. In the

* Journals, 498. 534. Commons, Oct. 7. 13. 14. 16. Rush, vi. 329—373. Baillie, ii. 246.

† “Holdenby or Holmby, a very stately house, built by the lord Chancellor Hatton, and in king James’s reign purchased by Q. Anne for her second son.” Herbert, 13. It was, therefore, the king’s own property.

‡ Clarendon Papers, ii. 265. 268. 276. Journals, 622. 635. 648. 681. Commons’ Journals, Dec. 24. His letter to the bishop of London is in E’lis, iii. 326. 2d. ser.

parliament his friends were active and persevering; and their efforts elicited a resolution, that the commissioners in London should urge with all their influence his request of a personal conference. Cheered by this partial success, they proposed a vote expressive of their determination to support, under all circumstances, his right to the English throne. But at this moment arrived the votes of the two houses for his removal to Holmby: the current of Scottish loyalty was instantly checked; and the fear of a rupture between the nations induced the estates to observe a solemn fast, that they might deserve the blessing of Heaven, and to consult the commissioners of the kirk, that they might proceed with a safe conscience. The answer was such as might have been expected from the bigotry of the age; that it was unlawful to assist in the restoration of a prince, who had been excluded from the government of his kingdom, for his refusal of the propositions respecting religion and the covenant. No man ventured to oppose the decision of the kirk. In a house of two hundred members not more than seven or eight were found to speak in favour of their sovereign. A resolution was voted that he should be sent to Holmby, or some other of his houses near London, to remain there till he had assented to the propositions of peace; and all that his friends could obtain was an amendment more expressive of their fears than of their hopes, that no injury or violence should be offered to his person, no obstacle be opposed to the legitimate succession of his children, and no alteration made in the existing government of the kingdoms. This addition was cheerfully adopted by the English house of lords; but the commons did not vouchsafe to honour it with their notice. The first payment of 100,000*l.*, had already been made at Northallerton: the Scots, according to agreement, evacuated Newcastle; and the parliamentary commissioners, without any other ceremony, took charge of the royal person. Four days later the Scots received the second sum of 100,000*l.*: their army

Dec.
16.Jan.
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Feb. 16. repassed the border line between the two kingdoms; and the captive monarch, under a strong guard, but with every demonstration of respect, was conducted to his new prison at Holmby*.

The royalists, ever since the king's visit to Newark, had viewed with anxiety and terror the cool calculating policy of the Scots. The result converted their suspicions into certitude: they hesitated not to accuse them of falsehood and perfidy, and to charge them with having allured the king to their army by deceitful promises, that, Judas-like, they might barter him for money with his enemies. Insinuations so injurious to the character of the nation ought not to be lightly admitted. It is, indeed, true that fanaticism and self-interest had steeled the breasts of the covenanters against the more generous impulses of loyalty and compassion; and that, by the delivery of the king to his enemies, they violated their previous pledge of personal safety which, if once given, though by word only, ought to have been sacredly fulfilled. But there is no ground for the statement, that they held out promises to delude the unfortunate prince. It was with reluctance that they consented to receive him at all; and, when at last he sought an asylum in their army, he came thither, not allured by invitation from them, but driven by necessity and despair. 2°. If the delivery of the royal person, connected as it was with the receipt of 200,000*l.*, bore the appearance of a sale, it ought to be remembered, that the accounts between the two nations had been adjusted in the beginning of September; that for four months afterwards the Scots never ceased to negotiate in favour of Charles; nor did they resign the care of his person, till the votes of the English parliament compelled them to make the choice between compliance or war. It may be, that in forming their decision their personal interest was not forgotten: but there was another consideration which had no small weight even with the friends of the

* Journals, viii. 686. 689. 695. 699. 713. Commons, Jan. 25, 26, 27 Baillie, ii. 253. Rush. vi. 390-398. Whitelock, 232. Thurloe, i. 73. 74.

monarch. It was urged that by suffering the king to reside at Holmby, they would do away the last pretext for keeping on foot the army under the command of Fairfax; the dissolution of that army would annihilate the influence of the independents, and give an undisputed ascendancy to the presbyterians; the first the declared enemies, the others the avowed advocates of Scotland, of the kirk, and of the king; and the necessary consequence must be, that the two parliaments would be left at liberty to arrange, in conformity with the covenant, both the establishment of religion and the restoration of the throne*.

Charles was not yet weaned from the expectation of succour from Ireland. At Newcastle he had consoled the hours of his captivity with dreams of the mighty efforts for his deliverance, which would be made by Ormond, and Glamorgan, and the council at Kilkenny. To the first of these he forwarded two messages, one openly through Lanark, the Scottish secretary, the other clandestinely through lord Digby, who proceeded to Dublin from France. By the first Ormond received a positive command to break off the treaty with the catholics; by the second he was told to adhere to his former instructions, and to obey no order which was not transmitted to him by the queen or the prince. His letter to Glamorgan proves more clearly the distress to which he was reduced, and the confidence which he reposed in the exertions of that nobleman. "If," he writes, "you can raise a large sum of money by pawning my kingdoms for that purpose, I am content you should do it; and if I recover them, I will fully repay that money. And tell the nuncio, that if once I can come into his and your

1646.
July
20.

* See the declarations of Argyle in Laing, iii. 560; and of the Scottish commissioners, to the English parliament, Journals, ix. 594, 598. "Stapleton and Hollis, and some others of the eleven members, had been the main persuaders of us to remove out of England, and leave the king to them, upon assurance, which was most likely, that this was the only means to get that evil army disbanded, the king and peace settled according to our minds; but their beut execution of this real intention has undone them, and all, till God provide a remedy." Baillie, ii. 257.

“ hands, which ought to be extremely wish'd for by you,
 “ both, as well for the sake of England as Ireland, since
 “ all the rest, as I see, despise me, I will do it. And if I
 “ do not say this from my heart, or if in any future time
 “ I fail you in this, may God never restore me to my
 “ kingdoms in this world, nor give me eternal happiness
 “ in the next, to which I hope this tribulation will con-
 “ duct me at last, after I have satisfied my obligations to
 “ my friends, to none of whom am I so much obliged as
 “ to yourself, whose merits towards me exceed all ex-
 “ pressions that can be used by

“ Your constant friend,

“ CHARLES R. * ”

- July. But religion was still the rock on which the royal hopes
 29. were destined to split. The perseverance of the supreme council at Kilkenny prevailed in appearance over the intrigues of the nuncio, and the opposition of the clergy. The peace was reciprocally signed ; it was published with more than usual parade in the cities of
 Aug. Dublin and Kilkenny ; but at the same time a national
 6. synod at Waterford not only condemned it as contrary to the oath of association, but on that ground excommunicated its authors, fautors, and abettors as guilty of perjury. The struggle between the advocates and opponents of the peace was soon terminated. The men of Ulster under Owen O'Neil, proud of their recent victory (they had almost annihilated the Scottish army in the sanguinary battle of Benburb,) espoused the cause of the clergy ; Preston, who commanded the forces of Leinster, after some hesitation, declared also in their favour ; the members of the old council who had subscribed the treaty, were imprisoned, and a new council was established, consisting of eight laymen and four

* Birch, Inquiry, 245. I may here mention that Glamorgan, when he was marquess of Worcester, published “ A Century of the names and Scantlings of such Inventions,” &c., which Hume pronounces “ a ridiculous compound of lies, chimeras, and impossibilities, enough to show what might be expected from such a man.” If the reader peruse Mr. Partington's recent edition of this treatise, he will probably conclude that the historian had never seen it, or that he was unable to comprehend it.

clergymen, with the nuncio at their head. Under their direction the two armies marched to besiege Dublin: it was saved by the prudence of Ormond, who had wasted the neighbouring country, and by the habits of jealousy and dissension which prevented any cordial co-operation between O'Neil and Preston, the one of Irish, the other of English descent. Ormond, however, despaired of preserving the capital against their repeated attempts; and the important question for his decision was, whether he should surrender it to them, or to the parliament. The one savoured of perfidy to his religion, the other of Oct. treachery to his sovereign. He preferred the latter. 14. The first answer to his offer he was induced to reject as derogatory from his honour: a second negociation followed; and he at last consented to resign to the parliament the sword, the emblem of his office, the castle of 1647. Dublin, and all the fortresses held by his troops, on the Feb. payment of a certain sum of money, a grant of security 22. for his person, and the restoration of his lands, which had been sequestrated. This agreement was performed. Ormond came to England, and the king's hope of assistance from Ireland was once more disappointed*.

Before the conclusion of this chapter, it will be proper to notice the progress which had been made in the reformation of religion. From the directory for public worship, the synod and the houses proceeded to the government of the church. They divided the kingdom into provinces, the provinces into classes, and the classes into presbyteries or elderships; and established by successive votes a regular gradation of authority among these new judicatories, which amounted, if we may believe the ordinance, to no fewer than ten thousand. But neither of the great religious parties was satisfied. 1°. The independents strongly objected to the intolerance of the presbyterian scheme†; and though willing that

* Journals, viii. 519. 522. ix. 29. 32. 35. The reader will find an accurate account of the numerous and complicated negotiations respecting Ireland in Birch, Inquiry, &c. p. 142—261.

† Under the general name of independents, I include, for convenience,

it should be protected and countenanced by the state, they claimed a right to form, according to the dictates of their consciences, separate congregations for themselves. Their complaints were received with a willing ear by the two houses, the members of which (so we are told by a Scottish divine who attended the assembly at Westminster) might be divided into four classes; the presbyterians who, in number and influence, surpassed any one of the other three; the independents, who, if few in number, were yet distinguished by the superior talents and industry of their leaders; the lawyers, who looked with jealousy on any attempt to erect an ecclesiastical power independent of the legislature; and the men of irreligious habits, who dreaded the stern and scrutinizing discipline of a presbyterian kirk. The two last occasionally served to restore the balance between the two others, and by joining with the independents, to arrest the zeal, and neutralize the votes of the presbyterians. With
 1644. their aid, Cromwell, as the organ of the discontented
 Sept. religionists, had obtained the appointment of a "grand
 13. "committee for accommodation," which sat four months, and concluded nothing. Its professed object was to reconcile the two parties, by inducing the presbyterians to recede from their lofty pretensions, and the independents to relax something of their sectarian obstinacy. Both were equally inflexible. The former would admit of no innovation in the powers which Christ, according to their creed, had bestowed on the presbytery; the latter, rather than conform, expressed their readiness to suffer the penalties of the law, or to seek some other clime, where the enjoyment of civil, was combined with that of religious, freedom*.

all the different sects enumerated at the time by Edwards in his *Gangrana*,—independents, brownists, millenaries, antinomians, anabaptists, arminians, libertines, familists, enthusiasts, seekers, perfectists, socinians, arianists, anti-trinitarians, anti-scripturists, and sceptics. Neal's *Puritans*, ii. 251. I observe that some of them maintained that toleration was due even to catholics. Baillie repeatedly notices it with feelings of horror, ii. 17, 18, 43, 61.

* Baillie, i. 408. 420. 431. ii. 11. 33. 37. 42. 57. 63. 66. 71.

2°. The discontent of the presbyterians arose from a very different source. They complained that the parliament sacrilegiously usurped that jurisdiction which Christ had vested exclusively in his church. The assembly contended, that "the keys of the kingdom of heaven were committed to the officers of the church, by virtue whereof, they have power respectively to retain and remit sins, to shut the kingdom of heaven against the impenitent by censures, and to open it to the penitent by absolution." These claims of the divines were zealously supported by their brethren in parliament, and as fiercely opposed by all who were not of their communion. The divines claimed for the presbyteries the right of inquiring into the private lives of individuals, and of suspending the unworthy from the sacrament of 1646 the Lord's supper: but the parliament refused the first, Mar. and confined the second to cases of public scandal. *They* 5. arrogated to themselves the power of judging what offences should be deemed scandalous; the parliament defined the particular offences, and appointed civil commissioners in each province, to whom the presbyteries should refer every case not previously enumerated. *They* allowed of no appeal from the ecclesiastical tribunals to the civil magistrate; the parliament empowered all who thought themselves aggrieved to apply for redress to either of the two houses *. This profane mutilation of the divine right of the presbyteries excited the alarm and execration of every orthodox believer. When the ordinance for carrying the new plan into execution was in progress through the commons, the ministers generally determined not to act under its provisions. The citizens of London, who petitioned against it, were indeed silenced by a vote that they had violated the privileges of the house: but the Scottish commissioners came to their aid with a demand, that religion should be regulated to the satisfaction of the church; and the assembly of divines ventured to remonstrate, that they could not 26.

* Journals, vii. 469. Commons, Sept. 25. Oct. 10. March 5,
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in conscience submit to an imperfect and anti-scriptural form of ecclesiastical government. To the Scots a civil April but unmeaning answer was returned: to alarm the as-
 22. sembly, it was resolved that the remonstrance was a breach of privilege, and that nine questions should be proposed to the divines, respecting the nature and object of the divine right to which they pretended. These questions had been prepared by the ingenuity of Selden and Whitelock, ostensibly for the sake of information, in reality to breed dissention and to procure delay*.

When the votes of the house were announced to the assembly, the members anticipated nothing less than the infliction of those severe penalties, with which breaches of privilege were usually visited. They observed a day of fasting and humiliation, to invoke the protection of God in favour of his persecuted church; required the immediate attendance of their absent colleagues; and then reluctantly entered on the consideration of the questions sent to them from the commons. In a few days, however, the king took refuge in the Scottish army, and a new ray of hope cheered their afflicted spirits.
 May
 26. Additional petitions were presented; the answer of the two houses became more accommodating; and the petitioners received thanks for their zeal, with an assurance in conciliatory language that attention should be paid to their requests. The immediate consequence was the abolition of the provincial commissioners; and the ministers, softened by this condescension, engaged to execute the ordinance in London and Lancashire†. At the same time the assembly undertook the composition of a catechism and confession of faith: but their progress was daily retarded by the debates respecting the nine questions; and the influence of their party was greatly

* Journals, viii. 232. Commons, March 23. April 22. Baillie, ii. 194. "The pope and king," he exclaims, "were never more earnest for the headship of the church, than the plurality of this parliament." 196. 198. 199. 201. 216.

† These were the only places in which the presbyterian government was established according to law.

diminished by the sudden death of the earl of Essex *. Sept. 14.
 It was, however, restored by the delivery of the king 1647.
 into the hands of the parliament: petitions were imme- Feb.
 diately presented, complaining of the growth of error 18.
 and schism; and the impatience of the citizens induced Mar.
 them to appoint a committee to wait daily at the door of 17.
 the house of commons, till they should receive a favour-
 able answer. But another revolution, to be related in
 the next chapter, followed; the custody of the royal per-
 son passed from the parliament to the army; and the
 hopes of the orthodox were utterly extinguished †.

* Baillie says, "He was the head of our party here, kept all together
 "who now are like, by that alone, to fall to pieces. The house of lords
 "absolutely, the city very much, and many of the shires depended on
 "him." ii. 234.

† Baillie, ii. 207. 215, 216. 226. 234. 236. 250. *Journals*, viii. 332. 509. ix.
 18. 72. 82. Commons, May 26. Nov. 27. Dec. 7. March 15. 20.

CHAPTER IV.

CHARLES I.

Opposite projects of the presbyterians and independents—The king is brought from Holmby to the army—Independents driven from parliament—Restored by the army—Origin of the levellers—King escapes from Hampton Court and is secured in the Isle of Wight—Mutiny in the army—Public opinion in favour of the king—Scots arm in his defence—The Royalists renew the war—The presbyterians resume the ascendancy—Defeat of the Scots—Suppression of the royalists—Treaty of Newport—The king is again brought to the army—The house of commons is purified—The king's trial—Judgment—And execution—Reflections.

THE king during his captivity at Holmby divided his time between his studies and amusements. A considerable part of the day he spent in his closet, the rest in playing at bowls, or riding in the neighbourhood*. He was strictly watched; and without an order from the parliament no access could be obtained to the royal presence. The crowds who came to be touched for the evil were sent back by the guards; the servants who waited on his person received their appointment from the commissioners; and, when he refused the spiritual services of the two presbyterian ministers sent to him from London, his request for the attendance of any of his twelve chaplains was equally refused. Thus three months passed away without any official communication from the two

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* "He frequently went to Harrowden, a house of the lord Vaux's, " where there was a good bowling-green with gardens, groves and walks, " and to Althorp, a fair house, two or three miles from Holmby, belonging " to the lord Spenser, where there was a green well kept." Herbert 18.

houses. The king's patience was exhausted; and he addressed them in a letter, which, as it must have been the production of his own pen, furnishes an undoubted and favourable specimen of his abilities. In it he observed that the want of advisers might, in the estimation of any reasonable man, excuse him from noticing the important propositions presented to him at Newcastle; but his wish to restore a good understanding between himself and his houses of parliament had induced him to make them the subjects of his daily study; and, if he could not return an answer satisfactory in every particular, it must be attributed not to want of will, but to the prohibition of his conscience. Many things he would cheerfully concede: with respect to the others he was ready to receive information, and that in person, if such were the pleasure of the lords and commons. Individuals in his situation might persuade themselves that promises extorted from a prisoner are not binding. If such were his opinion, he would not hesitate a moment to grant whatever had been asked. His very reluctance proved beyond dispute, that with him at least the words of a king were sacred.

After this preamble he proceeds to signify his assent to most of the propositions; but to the three principal points in debate, he answers; 1°. that he is ready to confirm the presbyterian government for the space of three years, on condition that liberty of worship be allowed to himself and his household; that twenty divines of his nomination be added to the assembly at Westminster; and that the final settlement of religion at the expiration of that period be made in the regular way by himself and the two houses: 2°. he is willing that the command of the army and navy be vested in persons to be named by them, on condition that after ten years it may revert to the crown; and 3°. if these things be accorded, he pledges himself to give full satisfaction with respect to the war in Ireland. By the lords the

May
12.

20.

royal answer was favourably received, and they resolved by a majority of thirteen to nine that the king should be removed from Holmby to Oatlands: but the commons neglected to notice the subject, and their attention was soon occupied by a question of more immediate, and therefore in their estimation, of superior importance*.

The reader is aware that the presbyterians had long viewed the army under Fairfax with peculiar jealousy. It offered a secure refuge to their religious, and proved the strongest bulwark of their political, opponents. Under its protection men were beyond the reach of intolerance. They prayed and preached as they pleased; the fanaticism of one served to countenance the fanaticism of another; and all, however they might differ in spiritual gifts and theological notions, were bound together by the common profession of godliness, and the common dread of persecution. Fairfax, though called a presbyterian, had nothing of that stern, unaccommodating character, which then marked the leaders of the party. In the field he was distinguished by his activity and daring; but the moment his military duties were performed he relapsed into habits of ease and indolence; and, with the good nature and the credulity of a child, suffered himself to be guided by the advice or the wishes of those around him—by his wife, by his companions, and particularly by Cromwell. That adventurer had equally obtained the confidence of the commander-in-chief and of the common soldier. Dark, artful and designing, he governed Fairfax by his suggestions, while he pretended only to second the projects of that general. Among the privates he appeared as the advocate of liberty and toleration, joined with them in their conventicles, adopted among them the cant of fanaticism, and affected to resent their wrongs as religionists and their privations as soldiers. To his fellow officers he lamented the in-

* These particulars appear in the correspondence in *Clar. Pap.* 221—226. *Journals*, 19. 69. 193. 199. *Commons*, Feb. 20. March 2. 9. May 21.

gratitude and jealousy of the parliament, a court in which experience showed that no man, not even the most meritorious patriot, was secure. To-day he might be in high favour; to-morrow, at the insidious suggestion of some obscure lawyer or narrow-minded bigot, he might find himself under arrest and consigned to the Tower. That Cromwell already aspired to the eminence to which he afterwards soared, is hardly credible: but that his ambition was awakened, and that he laboured to bring the army into collision with the parliament, was evident to the most careless observer*.

To disband that army was now become the main object of the presbyterian leaders: but they disguised their real motives under the pretence of the national benefit. The royalists were humbled in the dust; the Scots had departed; and it was time to relieve the country from the charge of supporting a multitude of men in arms without any ostensible purpose. They carried, but with considerable opposition, the following resolutions: to take from the army three regiments of horse, and eight regiments of foot for the service in Ireland, to retain in England no greater number of infantry than might be required to do the garrison duty, with six thousand cavalry for the more speedy suppression of tumults and riots, and to admit of no officer of higher rank than colonel, with the exception of Fairfax the commander-in-chief. In addition it was voted that no commission should be granted to any member of the lower house, or to any individual who refused to take the solemn league and covenant, or to any one whose conscience forbade him to conform to the presbyterian scheme of church government†.

* As early as Aug. 2, 1648, Huntingdon, the major in his regiment, in his account of Cromwell's conduct, noticed, that in his chamber at Kingston he said, "What a sway Stapleton and Hollis had heretofore in the kingdom, and he knew nothing to the contrary but that he was as well able to govern the kingdom as either of them." Journals, x. 411.

† Journals of Commons, iv. Feb. 15. 19. 20. 23. 25. 26, 27. March 1, 2.

The object of these votes could not be concealed from the independents. They resolved to oppose their adversaries with their own weapons, and to intimidate those whom they were unable to convince. Suddenly, at their secret instigation, the army, rising from its cantonments in the neighbourhood of Nottingham, approached the metropolis, and selected quarters in the county of Essex. This movement was regarded and resented as a menace: Fairfax, to excuse it, alleged the difficulty of procuring subsistence in an exhausted and impoverished district. At Saffron Walden he was met by Mar. 21 the parliamentary commissioners; who called a council of officers, and submitted to their consideration proposals for the service of Ireland; but instead of a positive answer, inquiries were made and explanations demanded, while a remonstrance against the treatment of the army was circulated for signatures through the several regiments. In it the soldiers required an ordinance of indemnity, to screen them from actions in the civil courts for their past conduct, the payment of their arrears, which amounted to forty-three weeks for the horse, and to eighteen for the infantry, exemption from impressment for foreign service, compensation for the maimed, pensions for the widows and families of those who had fallen during the war, and a weekly provision of money, that they might no longer be compelled to live at free quarters on the inhabitants. This remonstrance was presented to Fairfax to be forwarded by him to the two houses. The ruling party became alarmed: they dreaded to oppose petitioners with swords in their hands; and, that the project might be suppressed in its birth, both houses sent instructions to the general, ordered all members of parliament holding commands to repair to the

3, 4, 5. On several divisions the presbyterian majority was reduced to ten; on one, to two members. They laboured to exclude Fairfax, but were left in a minority of 147 to 159. Ibid. March 5. "Some," says Whitelock, "wondered it should admit debate and question." p. 239.

army, and issued a declaration, in which, after a promise Mar. to take no notice of what was past, they admonished the 29. subscribers that to persist in their illegal course would subject them to punishment "as enemies to the state, "and disturbers of the public peace*."

The framers of this declaration knew little of the temper of the military. They sought to prevail by intimidation, and they only inflamed the general discontent. Was it to be borne, the soldiers asked each other, that the city of London and the county of Essex should be allowed to petition against the army, and that they, who had fought, and bled, and conquered in the cause of their country, should be forbidden either to state their grievances, or to vindicate their characters? Hitherto the army had been guided, in appearance at least, by the council of officers: now, whether it was a contrivance of the officers themselves to shift the odium to the whole body of the military, or was suggested by the common men who began to distrust the integrity of their commanders, two deliberating bodies, in imitation of the houses at Westminster, were formed; one consisting of the officers holding commissions, the other of two representatives from every troop and company, calling themselves adjutators or helpers; a name which, by the ingenuity of their enemies, was changed into that of agitators or disturbers†. Guided by their resolves the whole army seemed to be animated with one soul; scarcely a man could be tempted to desert the common cause by accepting of the service in Ireland; each corps added supernumeraries to its original comple-

* Journals, ix. 66. 72. 82. 89. 95. 112—115. Commons, v. Mar. 11. 25, 26, 27. 29.

† Hobbes, Behemoth, 587. Berkeley, 359. This, however, was not the first appearance of the agitators. "The first time," says Fairfax. "I took notice of them was at Nottingham, (end of February) by the soldiers meeting to frame a petition to the parliament about their arrears. The thing seemed just; but not liking the way, I spoke with some officers who were principally engaged in it, and got it suppressed for that time." Short Memorials of Thomas, lord Fairfax, written by himself. Somers' Tracts, v. 392. Maseres, 446.

ment ; * and language was held, and projects suggested, most alarming to the presbyterian party. Confident, however, in their own power, the majority in the house
 April 27. resolved that the several regiments should be disbanded on the receipt of a small portion of their arrears. This vote was scarcely passed, when a deputation from the agitators presented to the commons a defence of the remonstrance. They maintained that by becoming soldiers they had not lost the rights of subjects ; that by purchasing the freedom of others, they had not forfeited their own ; that what had been granted to the adversaries of the commonwealth, and to the officers in the armies of Essex and Waller, could not in justice be refused to them ; and that, as without the liberty of petitioning, grievances are without remedy, they ought to be allowed to petition now in what regarded them as soldiers, no less than afterwards in what might regard them as citizens. At the same time the agitators addressed to Fairfax and the other general officers a letter complaining of their wrongs, stating their resolution to obtain redress, and describing the expedition to Ireland as a mere pretext to separate the soldiers from those officers to whom they were attached, “ a cloak to
 “ the ambition of men who having lately tasted of sovereignty, and been lifted beyond their ordinary sphere
 “ of servants, sought to become masters, and degenerate
 “ into tyrants.” The tone of these papers excited alarm ;
 30. and Cromwell, Skippon, Ireton, and Fleetwood, were ordered to repair to their regiments, and assure them that ordinances of indemnity should be passed, that their arrears should be audited, and that a considerable payment should be made previous to their dismissal from the service. When these officers announced, in the
 May 8. words of the parliamentary order, that they were come

* Several bodies of troops in the distant counties had been disbanded ; but the army under Fairfax, by enlisting volunteers from both parties, royalists as well as parliamentarians, was gradually increased by several thousand men, and the burthen of supporting it was doubled. See Journals, ix. 559—583.

to quiet "the distempers in the army," the councils replied, that they knew of no distempers, but of many grievances, and that of these they demanded immediate redress*.

Whitelock, with his friends, earnestly deprecated a course of proceeding which he foresaw must end in defeat: but his efforts were frustrated by the inflexibility or violence of Holles, Stapleton, and Glyn, the leaders of the ruling party, who, though they condescended to May pass the ordinance of indemnity, and to issue money for 21. the payment of the arrears of eight weeks, procured in- 25. structions for the general to collect the several regiments 29. in their quarters, and to disband them without delay. Instead of obeying, he called together the council of officers, who resolved, in answer to a petition from the agitators, that the money offered by the houses was but a small portion of their demand; that no visible security was given for the remainder; that the vote by which they had been declared enemies to the state had not been recalled; and that, as they could obtain neither reparation for their characters nor security for their persons, it was necessary that the whole army should be drawn together, in order that all might consult in common. Orders were immediately despatched to the several regiments to rendezvous on the fifth day on Triploe heath: the park of artillery at Oxford was secured; and 4000*l.*, destined for the pay of the garrison in that city was seized for the use of the army. These proceedings opened the eyes of their adversaries: they expunged the offensive declaration from the journals; they introduced a more comprehensive ordinance of indemnity, and had proposed several votes calculated to meet the objections of the officers, when their alarm was raised to the highest pitch by the arrival of unexpected tidings from Holmby†.

June
1.
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* Journals, ix. 164. Commons, Ap. 27. 30. Whitelock, 245, 246. Rushworth, vi. 447. 451. 457. 469. 480. 485.

† Whitelocke, 249. 250. Holles, 92. Journals, 207. 222. 226—228. Commons, May 14. 21. 25. 28. June 1. 4. 5. Rushworth, vi. 489. 493. 497—500. 505.

- April 21. Soon after the appointment of the agitators, an officer delivered to the king a petition from the army, that he would suffer himself to be conducted to the quarters of their general, by whom he should be restored to his honour, crown, and dignity. Charles replied, that he hoped one day to reward them for the loyalty of their intention, but that he could not give his consent to a measure which must, in all probability, re-plunge the nation into the horrors of a civil war *. He believed that this answer had induced the army to abandon the design : but six weeks later, on Wednesday the 2nd of June, while he was playing at bowls at Althorp, Joyce, a cornet in the general's life guard, was observed standing among the spectators ; and late in the evening of the same day, the commissioners in attendance understood that a numerous party of horse had assembled on Harleston heath, at the distance of two miles from Holmby. Their object could not be doubted ; it was soon ascertained that the guards would offer no resistance ; and colonel Greaves, their commander, deemed it expedient to withdraw to a place of safety. About two in the morning the strangers appeared before the gates, and were instantly admitted. To the questions of the commissioners, who was their commander, and what was their purpose, Joyce replied, that they were all commanders, and that they had come to arrest colonel Greaves, and to secure the person of the king, that he might not be carried away by their enemies. With a pistol in his hand he then demanded admission to Charles ; but the grooms of the bed-chamber interposed ; and, after a violent altercation, he was induced to withdraw. During the day the parliamentary guards were replaced by the strangers : about ten at night Joyce again demanded admission to the royal bed-chamber, and informed the king that his comrades were apprehensive of a rescue, and wished to conduct him to a place of greater security. Charles signified his assent,
- June 2.
- 3.

* Clarendon Papers, ii. 365.

in the condition that what then passed between them on private should be repeated in public; and at six the next morning, took his station on the steps at the door, while the troopers drew up before him, with Joyce a little in advance of the line. This dialogue ensued :

KING.—Mr. Joyce, I desire to ask you, what authority you have to take charge of my person, and convey me away ?

JOYCE.—I am sent by authority of the army to prevent the design of their enemies, who seek to involve the kingdom a second time in blood.

KING.—That is no lawful authority. I know of none in England but my own, and, after mine, that of the parliament. Have you any written commission from sir Thomas Fairfax ?

JOYCE.—I have the authority of the army, and the general is included in the army.

KING.—That is no answer. The general is the head of the army. Have you any written commission ?

JOYCE.—I beseech your majesty to ask me no more questions. There is my commission, pointing to the troopers behind him.

KING, with a smile—I never before read such a commission : but it is written in characters fair and legible enough ; a company of as handsome proper gentlemen as I have seen a long while. But to remove me hence, you must use absolute force, unless you give me satisfaction as to these reasonable and just demands which I make : that I may be used with honour and respect, and that I may not be forced in anything against my conscience or honour, though I hope that my resolution is so fixed that no force can cause me to do a base thing. You are masters of my body, my soul is above your reach.

The troopers signified their assent by acclamation ; and Joyce rejoined, that their principle was not to force any man's conscience, much less that of their sovereign. Charles proceeded to demand the attendance of his own

servants, and, when this had been granted, asked whether they meant to conduct him? Some mentioned Oxford, others Cambridge, but, at his own request, Newmarket was preferred. As soon as he had retired, the commissioners protested against the removal of the royal person, and called on the troopers present to come over to them, and maintain the authority of parliament. But they replied with one voice "none, none;" and the king, trusting himself to Joyce and his companions, rode that day as far as Hinchinbrook house, and afterwards proceeded to Newmarket*.

This design of seizing the person of the king was openly avowed by the council of the agitators, though the general belief attributed it to the secret contrivance of Cromwell. It had been carefully concealed from the knowledge of Fairfax, who, if he was not duped by the hypocrisy of the lieutenant-general and his friends, carefully suppressed his suspicions, and acted as if he believed his brother officers to be animated with the same sentiments as himself, an earnest desire to satisfy the complaints of the military, and at the same time to prevent a rupture between them and the parliament. But Cromwell had in view a very different object, the humiliation of his political opponents; and his hopes were encouraged not only by the ardour of the army, but also by the general wishes of the people.

June 1. The day after the abduction of the king from Holm-
5.

* Compare the narrative published by the army (Rushw. vi. 53.), with the letters sent by the commissioners to the house of Lords. Journals, 237. 240. 248. 250. 273, and Herbert's Memoirs, 26—33. Fairfax met the king at Childersley, near Cambridge, and advised him to return to Holmby. "The next day I waited on his majesty, it being also my business to persuade his return to Holmby; but he was otherwise resolved So having spent the whole day about this business, I returned to my quarters; and as I took leave of the king, he said to me, Sir, I have as good interest in the army as you. . . . I called for a council of war to proceed against Joyce for this high offence, and breach of the articles of war: but the officers, whether for fear of the distempered soldiers, or rather (as I suspected) a secret allowance of what was done, made all my endeavours in this ineffectual." Somers' Tracts. v. 394. Holles asserts that the removal of the king had been planned at the house of Cromwell, on the 30th of May (Holles, 96.), Huntingdon, that it was advised by Cromwell and Ireton. Lords' Journals, x. 409.

by, the army rendezvoused at Newmarket, and entered into a solemn engagement, stating that, whereas several officers had been called in question for advocating the cause of the military, they had been compelled to choose several men out of each company, and these to choose two or more out of themselves to act in the name and behalf of the whole soldiery of their respective regiments, and that they did now unanimously declare and promise that the army should not disband, nor volunteer for the service in Ireland, till their grievances had been so far redressed, and their subsequent safety so far secured, as to give satisfaction to a council composed of the general officers, and of two commissioned officers, and two privates chosen from each regiment*.

2. After this the army began its march towards the capital, and, as it advanced, addresses from the freeholders of different counties were daily presented to Fairfax, as if the force under his command constituted the supreme authority of the nation. In these it was lamented that the return of peace had not brought with it those blessings, the promise of which had induced men to submit to the privations of war; a disappointment which could be attributed only to the obstinacy with which certain persons clung to the emoluments of office†. In parliament, amidst the struggles of the two parties, some votes were passed, calculated to give satisfaction both to the public and to the military: but to these others were added, which manifested a determination in the houses to resist the dictates of a mutinous soldiery. Every day the contest assumed a more threatening aspect. A succession of petitions, remonstrances, and declarations, issued from the pens of Ireton and Lambert under the superintendence of Cromwell; the army continually added to their former demands, and it was now required that all capitulations granted during the war June 14. should be observed; that a time should be fixed for the termination of the present parliament; that the house

* Parl. Hist. iii. 604.

† Journals, ix. 260. 263. 278.

of commons should be purged of every individual disqualified by preceding ordinances; and, in particular, that eleven of its members, comprising Holles, Glyn, Stapleton, Clotworthy, and Waller, the chief leaders of the presbyterian party, and members of the committee at Derby house, should be excluded, till they had been tried by due course of law for the offence of endeavouring to commit the army with the parliament. To give weight to these demands, Fairfax, who seems to have acted as the mere organ of the council of officers*, had marched successively to St. Alban's, to Watford, and to Uxbridge. His approach revealed the weakness or the timidity of the presbyterian party. Skippon, whom they consulted as their military oracle, advised them from the first to fast and submit; and the men who had so clamorously appealed to the privileges of parliament, when the king demanded the five members, were silent when a similar demand was made by twelve thousand men in arms. They voted leave of absence for the accused member; they ordered the new levies for the defence of the city to be disbanded; and they tamely resigned to their opponents the ascendancy which they had hitherto enjoyed. At the suggestion of the independents the army under Fairfax was declared the army of the parliament; a month's pay was granted as the reward of its services; and commissioners from the two houses were appointed to treat with commissioners from the army, as if they were the representatives of an independent and co-equal authority†.

* "From the time they declared their usurped authority at Triploc, Heath, (June 10th) I never gave my free consent to any thing they did; but being yet undischarged of my place, they set my name in way of course to all their papers, whether I consented or not." Somers' Tracts, v. 396. This can only mean that he reluctantly allowed them to make use of his name; for he was certainly at liberty to resign his command, or to protest against the measures which he disapproved.

† Rushworth, vi. 518—596. Whitelock, 251—256. Holles, 104. Journals, 249. 257. 260. 263. 275. 277. 284. 289. 291. 298. Commons, June 7. 11. 12. 15. 18. 25. 26. 28. On divisions in general the presbyterians had a majority of 40—but on the 28th, the first day after the departure of their leaders, they were left in a minority of 85 to 121. Ibid.

This struggle and its consequences were viewed with intense interest by the royalists, who persuaded themselves that it must end in the restoration of the king: but the opportunities furnished by the passions of his adversaries were as often forfeited by his own irresolution. While both factions courted his assistance, he, partly through distrust of their sincerity, partly through the hope of more favourable terms, balanced between their offers, till the contest was decided without his interference. Ever since his departure from Holmby, though he was still a captive, and compelled to follow the marches of the army, the officers had treated him with the most profound respect; attention was paid to all his wants; the general interposed to procure for him occasionally the company of his younger children; his servants, Legge, Berkeley, and Ashburnham, though known to have come from France with a message from the queen*, were permitted to attend him; and free access was given to some of his chaplains, who read the service in his presence publicly and without molestation. Several of the officers openly professed to admire his piety, and to compassionate his misfortunes; even Cromwell, though at first he affected the distance and reserve of an enemy, sent him secret assurances of his attachment; and successive addresses were made to him in the name of the military, expressive of the general wish to effect an accommodation, which should reconcile the rights of the throne with those of the people. A secret negociation followed through the agency of Berkeley and Ashburnham; and Fairfax, to prepare the public for the result, in a letter to the two houses, July 8. spurned the imputation cast upon the army, as if it were hostile to monarchical government, justified the respect and indulgence with which he had treated the royal captive, and maintained that "tender, equitable,

* "I returned with instructions to endeavour by the best means imaginable such a compliance between his Majesty and the army, as might have influence, and beget a right understanding between his Majesty and the parliament." Ashburnham's Letter, in 1648. p. 5.

“and moderate dealing towards him, his family, and “his former adherents,” was the most hopeful course to lull asleep the feuds which divided the nation. Never had the king so fair a prospect of recovering his authority*.

In the treaty between the commissioners of the parliament and those of the army, the latter proceeded with considerable caution. The redress of military grievances was but the least of their cares; their great object was the settlement of the national tranquillity on what they deemed a solid and permanent basis. Of this intention they had suffered some hints to transpire: but before the open announcement of their plan, they resolved to bring the city, as they had brought the parliament, under subjection. London, with its dependencies, had hitherto been the chief support of the contrary faction; it abounded with discharged officers and soldiers who had served under Essex and Waller, and who were ready at the first summons to draw the sword in defence of the covenant; and the supreme authority over the military within the lines of communication had been, by a late ordinance, vested in a committee, all the members of which were strongly attached to the presbyterian interest. To wrest this formidable weapon from the hands of their adversaries, they forwarded a request to the two houses, that the command of the London militia might be transferred from disaffected persons to men distinguished by their devotion to the cause of the country. The presbyterians were alarmed; they suspected a coalition between the king and the independents; they saw that the covenant was at stake, and that the propositions of peace so often voted in parliament, might, in a few days, be set aside. A
 July petition was presented in opposition to the demand of
 14. the army: but the houses, now under the influence of
 23. the independents, passed the ordinance; and the city,

* Journals, ix. 323, 324. Ashburn. 11. 91. Also Huntingdon's Narrative, x. 409.

on its part, determined to resist both the army and the July
parliament. Lord Lauderdale, the chief of the Scottish 24.
commissioners, hastened to the king to obtain his con-
currence; a new covenant, devised in his favour, was
exposed at Skinners' hall, and the citizens and soldiers,
and probably the concealed royalists, hastened in crowds
to subscribe their names. By it they bound themselves,
in the presence of God, and at the risk of their lives and
fortunes, to bring the sovereign to Westminster, that he
might confirm the concessions which he had made in
his letter from Holmby, and might confer with his parlia-
ment on the remaining propositions. Both lords and
commons voted this new engagement an act of treason
against the kingdom; and the publication of the vote,
instead of damping the zeal, inflamed the passions of
the people. The citizens petitioned a second time, and
received a second refusal. The moment they departed, 26
a multitude of apprentices, supported by a crowd of mi-
litary men, besieged the doors of the two houses; for
eight hours they continued, by shouts and messages, to
call for the repeal of the ordinance respecting the mili-
tia, and of the vote condemning the covenant; and the
members, after a long resistance, worn out with fatigue,
and overcome with terror, submitted to their demands.
Even after they had been suffered to retire, the multi-
tude suddenly compelled the commons to return, and,
with the speaker in the chair, to pass a vote that the
king should be conducted without delay to his palace at
Westminster. Both houses adjourned for three days,
and the two speakers, with most of the independent
members, improved the opportunity to withdraw from
the insults of the populace, and to seek an asylum in
the army*."

In the mean while the council of officers had com-
pleted their plan "for the settlement of the nation,"
which they submitted first to the consideration of

* Whitelock, 260, 261. Journals, ix. 377. 393. Holles, 145. Leicester's
journal in the Sydney Papers, edited by Mr. Blencowe, p. 25.

Charles, and afterwards to that of the parliamentary commissioners. In many points it was similar to the celebrated "propositions of peace:" but contained in addition several provisions respecting the manner of election, and the duration of parliament and the composition of the magistracy, which may not be uninteresting to the reader even at the present day. It proposed that a parliament should meet every year, to sit not less than a certain number of days, nor more than another certain number, each of which should be fixed by law: that if, at the close of a session any parliamentary business remained unfinished, a committee should be appointed with power to sit and bring it to a conclusion: that a new parliament should be summoned every two years, unless the former parliament had been previously dissolved with its own consent: that decayed and inconsiderable boroughs should be disfranchised, and the number of county members increased, such increase being proportionate to the rates of each county in the common charges of the kingdom: that every regulation respecting the reform of the representation and the election of members should emanate from the house of commons alone, whose decision on such matters should have the force of law, independently of the other branches of the legislature: that the names of the persons to be appointed sheriffs annually, and of those to be appointed magistrates at any time, should be recommended to the king by the grand jury at the assizes; and that the grand jury itself should be selected, not by the partiality of the sheriff, but equally by the several divisions of the county*. To these innovations, great

* Charles's Works, 579. Parl. Hist. ii. 738—740. These were the terms of the "settlement;" in addition, the officers demanded of the parliament that the excise should be taken off all articles of necessity without delay, and off all others within a limited time; that the land tax should be equally apportioned; that a remedy should be applied to the "unequal, troublesome and contentious way of ministers' maintenance by tithes;" that suits at law should be rendered less tedious and expensive; that the estates of all men should be made liable for their debts; that insolvent debtors, who had surrendered all that they had to their creditors, should be discharged;

and important as they were, it was not the interest, if it had been the inclination, of Charles to make any serious objection: but on three other questions he felt much more deeply, the church, the army, and the fate of the royalists: yet there existed a disposition to spare his feelings on all three; and after long and frequent discussion such modifications of the original proposals were adopted, as in the opinion of his agents, Berkeley and Ashburnham, would ensure his assent. 1°. Instead of the abolition of the hierarchy it was agreed to deprive it only of the power of coercion, to place the liturgy and the covenant on an equal footing by taking away the penalties for absence from the one, and for refusal of the other; and to substitute in place of the oppressive and sanguinary laws still in force, some other provision for the discovery of popish recusants, and the restraint of popish priests and jesuits, seeking to disturb the state: 2°. to restore to the crown the command of the army and navy at the expiration of ten years: 3°. and to reduce the number of delinquents among the English royalists to be excluded from pardon, to five individuals. Had the king accepted these terms, he would most probably have been replaced on the throne; for his agents, who had the best means of forming a judgment, though they differed on other points, agreed in this, that the officers acted uprightly and sincerely: but he had unfortunately persuaded himself—and in that persuasion he was confirmed both by the advice of several faithful royalists, and by the interested representations of the Scottish commissioners—that the growing struggle between the presbyterians and independents would enable him to give the law to both parties; and hence, when “the settlement” was submitted to him for his final approbation, he returned an unqualified refusal. The astonishment of his agents was not less than that of the officers. Had he dissembled, or had he changed

and that no corporations should exact from their members oaths trenching on freedom of conscience. *Ibid.* 743.

his mind? In either case both had been deceived. *They* might suppress their feelings: but the agitators complained aloud, and a party of soldiers, attributing the disappointment to the intrigues of lord Lauderdale, burst at night into the bed-chamber of that nobleman, and ordered him to rise and depart without delay. It was in vain that he pleaded his duty as commissioner from the estates of Scotland, or that he solicited the favour of a short interview with the king: he was compelled to leave his bed, and hasten back to the capital*.

- July 30. Before this, information of the proceedings in London had induced Fairfax to collect his forces and march towards the city. On the way he was joined by the speakers of both houses, eight lords and fifty-eight commoners, who in a council held at Sion house solemnly bound themselves "to live and die with the army." Here it was understood that many royalists had joined the presbyterians, and that a declaration had been circulated in the name of the king, condemning all attempts to make war on the parliament. The officers, fearing the effect of this intelligence on the minds of the military, already exasperated by the refusal of their proposals, conjured Charles to write a conciliatory letter to the general, in which he should disavow any design of assisting the enemy, should thank the army for its attention to his comfort, and should commend the moderation of their plan of settlement in many points, though he could not consent to it in all. The ill-fated monarch hesitated; the grace of the measure was lost
- Aug. 3. by a delay of twenty-four hours; and though the letter was at last sent, it did not arrive before the city had
4. made an offer of submission. In such circumstances it could serve no useful purpose. It was interpreted as an artifice to cover the king's intrigues with the presby-

* Compare the narratives of Berkeley, 364, Ashburnham, ii. 92, Ludlow, i. 174, and Huntingdon (Journals x. 410) with the proposals of the army in Charles's Works. (578.) The insult to Lauderdale is mentioned in the Lords' Journals, ix. 367.

terians, instead of a demonstration of his good will to the army *.

To return to the city, Holles and his colleagues had resumed the ascendancy during the secession of the independents. The eleven members returned to the house; the command of the militia was restored to the former committee; and a vote was passed that the king should be invited to Westminster. At the same time the common council resolved to raise by subscription a loan of 10,000*l.*, and to add auxiliaries to the trained bands to the amount of eighteen regiments. Ten thousand men were already in arms; four hundred barrels of gunpowder, with other military stores, were drawn from the magazine in the Tower; and the presbyterian generals, Massey, Waller, and Poyntz, gladly accepted the command †. But the event proved that these were empty menaces. In proportion as it was known that Fairfax had begun his march, that he had reviewed the army on Hounslow heath, and that he had fixed his head quarters at Hammersmith, the sense of danger cooled the fervour of enthusiasm, and the boast of resistance was insensibly exchanged for offers of submission. The militia of Southwark openly fraternised with the army; the works on the line of communication were abandoned; and the lord mayor, on a promise that no violence should be offered to the inhabitants, ordered the gates to be thrown open. The next morning was celebrated the triumph of the independents. A regiment of infantry, followed by one of cavalry, entered the city: then came Fairfax on horseback, surrounded by his body-guards, and a crowd of gentlemen; a long train of carriages, in which were the speakers and the fugitive members, succeeded; and another regiment of

* Journals, 359. 375. Heath, 140. Ludlow, i. 181. Charles afterwards disavowed the declaration, and demanded that the author and publisher should be punished. Whitelock, 267. There are two copies of his letter, one in the Clarendon Papers, ii. 373; another and shorter in the Parliamentary History, xv. 205.

† Journals, x. 13. 16, 17.

cavalry closed the procession. In this manner, receiving as they passed the forced congratulations of the mayor and the common council, the conquerors marched to Westminster, where each speaker was placed in his chair by the hand of the general*. Of the lords who had remained in London after the secession, one only, the earl of Pembroke, ventured to appear; and he was suffered to make his peace by a declaration that he considered all the proceedings during the absence of the members compulsory, and therefore null. But in the lower house the presbyterians and their adherents composed a more formidable body; and by their spirit and perseverance, though they could not always defeat, frequently embarrassed the designs of their opponents. To many things they gave their assent; they suffered Maynard and Glyn, two members, to be expelled, the lord mayor, one of the sheriffs, and four of the aldermen, to be sent to the Tower, and the seven peers who sat during the secession of their colleagues, to be impeached. But a sense of danger induced them to oppose a resolution sent from the lords, to annul all the votes passed from the 26th of July to the 6th of August. Four times, contrary to the practice of the house, the resolution was brought forward, and as often, to the surprise of the independents, was rejected. Fairfax hastened to the aid of his friends. In a letter to the speaker, he condemned the conduct of the commons as equivalent to an approval of popular violence, and hinted the necessity of removing from the house the enemies of the public tranquillity.

Aug. 9. The next morning the subject was resumed: the presbyterians made the trial of their strength on an amendment, and finding themselves outnumbered, suffered the resolution to pass without a division†.

The submission of the citizens made a considerable

* Whitelock, 261—264. Leicester's journal, 27. Baillie calls this surrender of the city "an example rarely paralleled, if not of treachery, yet "at least of childish improvidence and base cowardice." ii. 259. The eleven members instantly fled. Leicester, *ibid*.

† Journals, 375. 385. 388. 391—398. Commons, iv. Aug. 9, 10, 17, 19, 20.

change in the prospects of the captive monarch. Had any opposition been offered, it was the intention of the officers (so we are told by Ashburnham) to have unfurled the royal standard, and to have placed Charles at their head. The ease with which they had subdued their opponents, convinced them of their own superiority, and rendered the policy of restoring the king a more doubtful question. Still they continued to treat him with respect and indulgence. From Oatlands he was transferred to the palace of Hampton court. There he was suffered to enjoy the company of his children, whenever he pleased to command their attendance, and the pleasure of hunting, on his promise not to attempt an escape; all persons whom he was content to see found ready admission to his presence; and, what he prized above all other concessions, he was furnished with the opportunity of corresponding freely and safely with the queen at Paris*. At the same time the two houses, at the requisition of the Scottish commissioners, submitted “the propositions” once more to the royal consideration: but Charles replied, that the plan suggested by the army was better calculated to form the basis of a lasting peace, and professed his readiness to treat respecting that plan with commissioners appointed by the parliament, and others by the army†. The officers applauded this answer; Cromwell in the commons spoke in its favour with a vehemence which excited suspicion; and, though it was ultimately voted equivalent to a refusal, a grand committee was appointed “to take the whole matter respecting the king into consideration.” It had been calculated that this attempt to amalgamate the plan of the parliament with that of the army might be accomplished in the space of twenty days; but it occu-

Aug.
24.Sept.
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* Clarendon Papers, ii. 381. Appendix, xli. Rush. vii. 795. Memoirs of Hamiltons, 316. Herbert, 48. Ashburn. ii. 93. 95.

† Of this answer, Charles himself says to the Scottish commissioners, “Be not startled at my answer which I gave yesterday to the two houses: for if you truly understand it, I have put you in a right way, where before you were wrong.” Memoirs of Hamiltons, 323.

pied more than two months ; for there was now a third house to consult, the council of war, which debated every clause, and notified its resolves to the lords and commons, under the modest, but expressive, name of the desires of the army *.

While the king sought thus to flatter the officers, he was, according to his custom, employed in treating with the opposite party †. The marquess of Ormond, and the lord Capel ‡, with the Scottish commissioners, waited on
 Oct. him from London ; and a resolution was formed that in the next spring, the Scots should enter England with a numerous army, and call on the presbyterians for their aid ; that Charles, if he were at liberty, otherwise the prince of Wales, should sanction the enterprise by his presence ; and that Ormond should resume the government of Ireland, while Capel summoned to the royal standard the remains of the king's party in England. Such was the outline of the plan ; the minor details had not been arranged, when Cromwell, either informed by his spies, or prompted by his suspicions, complained to Ashburnham of the incurable duplicity of his master, who was at the same time soliciting the aid, and plotting the destruction, of the army §.

* Ludlow, i. 184. Whitelock, 269. Huntingdon in Journals, x. 410. Journals, v. Sept. 22. On the division Cromwell was one of the tellers for the Yea, and colonel Rainsborough, the chief of the levellers, for the No. It was carried by a majority of 84 to 34. Ibid.

† In vindication of Charles it has been suggested that he was only playing at the same game as his opponents, amusing them as they sought to amuse him. This, however is very doubtful as far as it regards the superior officers, who appear to me to have treated with him in good earnest, till they were induced to break off the negotiation by repeated proofs of his duplicity, and the rapid growth of distrust and disaffection in the army. I do not, however, give credit to Morrice's tale of a letter from Charles to Henrietta intercepted by Cromwell and Ireton.

‡ Capel was one of the most distinguished of the royal commanders, and had lately returned from beyond the sea with the permission of parliament.

§ Clarendon, iii. 70—72—75. Ashburnham, ii. 94. Of the disposition of the Scottish parliament, we have this account from Baillie: "if the king be willing to ratify our covenant, we are all as one man to restore him to all his rights, or die by the way ; if he continue resolute to reject our covenant, and only to give us some parts of the matter of it, many here will be for him, even on these terms ; but divers of the best and wisest are irresolute, and wait till God give more light." Baillie, ii. 260.

But by this time a new party had risen, equally formidable to royalists, presbyterians, and independents. Its founders were a few fanatics in the ranks, who enjoyed the reputation of superior godliness. They pretended not to knowledge or abilities; they were but humble individuals, to whom God had given reason for their guide, and whose duty it was to act as that reason dictated. Hence they called themselves rationalists, a name which was soon exchanged for the more expressive appellation of levellers. In religion they rejected all coercive authority; men might establish a public worship at their pleasure, but, if it were compulsory, it became unlawful by forcing conscience, and leading to wilful sin: in politics they taught that it was the duty of the people to vindicate their own rights, and do justice to their own claims. Hitherto the public good had been sacrificed to private interest; by the king, whose sole object was the recovery of arbitrary power; by the officers, who looked forward to commands, and titles, and emoluments; and by the parliament, which sought chiefly the permanence of its own authority. It was now time for the oppressed to arise, to take the cause into their own hands, and to resolve "to part with their lives, before they would part with their freedom*." These doctrines were rapidly diffused: they made willing converts of the dissolute, the adventurous, and the discontented; and a new spirit, the fruitful parent of new projects, began to agitate the great mass of the army. The king was seldom mentioned but in terms of abhorrence and contempt; he was an Ahab or Coliquintida, the everlasting obstacle to peace, the cause of Oct dissension and bloodshed. A paper entitled "The Case 19.

* Clarendon Papers, ii. App. xl. Walker, History of Independents, 194. Rushworth, vii. 845. Hutchison, 287. Secretary Nicholas, after mentioning the rationalists, adds, "There are a sect of women lately come from foreign parts, and lodged in Southwark, called Quakers, who swell, shiver, and shake; and when they come to themselves (for in all the time of their fits Mahomet's holy ghost converses with them) they begin to preach what hath been delivered to them by the spirit." Clarendon Papers, ii. 383.

"of the Army," accompanied with another under the name of "The Agreement of the People," was presented to the general by the agitators of eleven regiments.

- Nov. They offered, besides a statement of grievances, a new
1. constitution for the kingdom. It made no mention of king or lords. The sovereignty was said to reside in the people, its exercise to be delegated to their representatives, but with the reservation of equality of law, freedom of conscience, and freedom from forced service in the time of war; three privileges of which the nation would never divest itself; parliaments were to be biennial, and to sit during six months; the elective franchise to be extended, and the representation to be more equally distributed. These demands of the levellers were strenuously supported by the colonels Pride and Rainsborough, and as fiercely opposed by Cromwell and Ireton. The council of officers yielded so far as to require that no more addresses should be made to the king: but the two houses voted the papers destructive of the government, and ordered the authors to be prosecuted; though at the same time, to afford some satisfaction to the soldiery, they
6. resolved, that the king was bound to give the royal assent to all laws for the public good, which had been passed and presented to him by the lords and commons*.

It was now some time since the king had begun to tremble for his safety. He saw that the violence of the levellers daily increased; that the officers, who professed to be his friends, were become objects of suspicion; that Ireton had been driven from the council, and Cromwell threatened with impeachment; that several regiments were in a state of complete insubordination; and that Fairfax himself doubted of his power to restore the discipline of the army. Charles had formerly given his word of honour to the governor, colonel Whalley, not to attempt an escape: he now withdrew it under the pretence that of late he had been as narrowly watched, as if no

* Claren. Pap ii. App. 39. xl. xli. Journ. Nov. 5, 6. Rush. vii. 849, 857, 860, 863. Whitelock, 274—277.

credit were due to his promise. His guards were immediately doubled; his servants, with the exception of Legge, were dismissed; and the gates were closed against the admission of strangers. Yet it may be doubted whether these precautions were taken with any other view than to lull the suspicion of the levellers; for he still possessed the means of conferring personally with Ashburnham and Berkeley, and received from Whalley repeated hints of the dangerous designs of his enemies. But where was he to seek an asylum? Jersey, Berwick, the isle of Wight, and the residence of the Scottish commissioners in London, were proposed. At first the commissioners expressed a willingness to receive him: the next day they withdrew their consent, and he fixed, as a last resource, on the Isle of Wight. On Nov. 10th his apprehensions were wound up to the highest pitch, by some additional and most alarming intelligence; the next evening he was missing. At supper-time Whalley entered his apartment, but, instead of the king, found on his table several written papers, of which one was an anonymous letter, warning him of danger to his person, and another, a message from himself to the two houses, promising, that though he had sought a more secure asylum, he should be always ready to come forth, "whenever he might be heard with honour, freedom, and safety*." Nov. 11.

This unexpected escape drew from the parliament threats of vengeance against all persons who should presume to harbour the royal fugitive: but in the course of three days the intelligence arrived, that he was again a prisoner in the custody of colonel Hammond, who had very recently been appointed governor of the Isle of Wight. The king, accompanied by Legge, groom of the

* See Ashburnham's letter to the speaker on Nov. 26. p. 2. His memoir, 101—112. Berkeley, 373—5. Journals, ix. 520, Rush. vii. 871. Clarendon, iii. 77. Mem. of Hamiltons, 324. That a letter from Cromwell was received or read by the king, is certain: (See Journals, x. 411. Berkeley, 377.) that it was written for the purpose of inducing him to escape, and thus fall into the hands of the levellers, is a gratuitous surmise of Cromwell's enemies.

chamber, had on the evening of his departure descended the back stairs into the garden, and repaired to a spot where Berkeley and Ashburnham waited his arrival. The night was dark and stormy, which facilitated their escape; but, when they had crossed the river at Thames Ditton, they lost their way, and it was day-break before they reached Sutton, where they mounted their horses. The unfortunate monarch had still no fixed plan. As they proceeded in a southerly direction, he consulted his companions; and after some debate resolved to seek a temporary asylum at Tichfield house, the residence of the countess of Southampton, whilst Ashburnham and Berkeley should cross over to the Isle of Wight, and sound the disposition of Hammond the governor, of whom little more was known than that he was nephew to one of the royal chaplains. When Hammond first learned the object of the messengers, he betrayed considerable alarm, under the impression that the king was actually on the island: but, having recovered his self-possession, he reminded them that he was but a servant bound to obey the orders of his employers, and refused to give any other pledge than that he would prove himself an honest man. How they could satisfy themselves with this ambiguous promise, is a mystery which was never explained—each subsequently shifting the blame to the other—but they suffered him to accompany them to the king's retreat, and even to take with him a brother officer, the captain of Cowes Castle.

During their absence Charles had formed a new plan of attempting to escape by sea, and had despatched a trusty messenger to look out for a ship in the harbour of Southampton. He was still meditating on this project when Ashburnham returned, and announced that Hammond with his companion was already in the town, awaiting his majesty's commands. The unfortunate monarch exclaimed, "What! Have you brought him hither? Then I am undone." Ashburnham instantly saw his error. It was not, he replied, too late. *They*

were but two, and might be easily despatched. Charles paced the room a few minutes, and then rejected the sanguinary hint. Still he clung to the vain hope that a ship might be procured: but at the end of two hours, Hammond became impatient; and the king, having nerved his mind for the interview, ordered him to be introduced, received him most graciously, and, mingling promises with flattery, threw himself on his honour. Hammond, however, was careful not to commit himself; he replied in language dutiful, yet ambiguous; and the king, unable to extricate himself from the danger, with a cheerful countenance, but misboding heart, consented to accompany him to the island. The governor ordered every demonstration of respect to be paid to the royal guest, and lodged him in Carisbrook castle*.

The increasing violence of the levellers, and the mutinous disposition of the army, had awakened the most serious apprehensions in the superior officers; and Fairfax, by the advice of the council, dismissed the agitators to their respective regiments, and ordered the several corps to assemble in three brigades on three different days. Against the time a remonstrance was prepared in his name, in which he complained of the calumnies circulated among the soldiers, stated the objects which he had laboured to obtain, and offered to persist in his endeavours, provided the men would return to their ancient habits of military obedience. All looked forward with anxiety to the result; but no one with more apprehension than Cromwell. His life was at stake. The levellers had threatened to make him pay with his head the forfeit of his intrigues with Charles; and the flight of that prince, by disconcerting their plans, had irritated their former animosity. On the appointed day the first brigade, that on which the officers could rely, mustered in a field between Hertford and Ware; and the remonstrance was read by order of

Nov.
8.

* Journals, ix. 525. Rushworth, vii. 874. Ashburnham, ii. Berkeley, 377—382. Herbert, 52. Ludlow, i. 187—191.

Fairfax to each regiment in succession. It was answered with acclamations; the men hastened to subscribe an engagement to obey the commands of the general; and the sowers of discord, the distributors of seditious pamphlets, were pointed out, and taken into custody. From this corps Fairfax proceeded to two regiments, which had presumed to come on the ground without orders. The first, after some debate, submitted; the second was more obstinate. The privates had expelled the majority of the officers, and wore round their hats this motto, "The people's freedom, and the soldiers' rights." Cromwell darted into the ranks to seize the ringleaders; his intrepidity daunted the mutineers; one man was immediately shot, two more were tried and condemned on the spot, and several others were reserved as pledges for the submission of their comrades*. By this act of vigour it was thought that subordination had been restored; but Cromwell soon discovered that the levellers constituted two thirds of the military force, and that it was necessary for him to retrace his steps, if he wished to retain his former influence. With that view he made a public acknowledgement of his error, and a solemn promise to stand or fall with the army. The conversion of the sinner was hailed with acclamations of joy a solemn fast was kept to celebrate the event; and Cromwell in the assembly of officers confessed, weeping as he spoke, that "his eyes, dazzled by the glory of the world, had not clearly discerned the work of the Lord" and therefore he humbled himself before them, and "desired the prayers of the saints that God would forgive his self-seeking." His fellow delinquent Ireton followed in the same repentant strain; both poured forth their souls before God in fervent and extemporary prayer; and "never" so we are assured,

* Whitelock, 278. Journals, ix. 527. Ludlow, i. 192. It was reported among the soldiers that the king had promised to Cromwell the title of earl with a blue ribbon, to his son the office of gentleman of the bed-chamber to the prince, and to Ireton the command of the forces in Ireland Holles, 127.

“ did more harmonious music ascend to the ear of the
“ Almighty *.”

The king had yet no reason to repent of his confidence in Hammond ; but that governor, while he granted every indulgence to his captive, had no intention of separating his own lot from that of the army. He consulted the officers at the head quarters, and secretly resolved to adhere to their instructions. Charles recommenced his former intrigues. Through the agency of Dr. Gough, one of the queen’s chaplains, he sought to prevail on the Scottish commissioners to waive his confirmation of the covenant, as the only price at which they would furnish him with an army : he sent sir John Berkeley to Cromwell and his friends, to remind them of their promises, and to solicit their aid towards a personal treaty ; and by a message to the parliament he proposed, Nov. in addition to his former offers, to surrender the command 16. of the army during his life, to exchange the profits of the court of wards for a yearly income, and to provide funds for the discharge of the moneys due to the military and to the public creditors. The neglect with which this message was received, and the discouraging answer returned by the officers, awakened his apprehensions : they were confirmed by the Scottish commissioners, who Dec. while they complained of his late offer as a violation of 8. his previous engagement, assured him that many of his enemies sought to make him a close prisoner, and that others openly talked of removing him either by a legal trial, or by assassination. These warnings induced him to arrange a plan of escape : application was made to the Dec. queen for a ship of war to convey him from the island ; 14. and Berwick was selected as the place of his retreat †. He had, however, but little time to spare. As their ultimatum, and the only condition on which they would consent to a personal treaty, the houses demanded the

* Clarendon Papers, ii. App. xlv. Berkeley, 385. Whitelock, 284.

† Memoirs of Hamilton, 325—333. Ludlow, i. 195—201. Berkeley, 383.

- royal assent to four bills which they had prepared. The first of these, after vesting the command of the army in the parliament for twenty years, enacted, that after that period it might be restored to the crown, but not without the previous consent of the lords and commons; and that still, whenever they should declare the safety of the kingdom to be concerned, all bills passed by them respecting the forces by sea or land should be deemed acts of parliament, even though the king for the time being should refuse his assent; the second declared all oaths, proclamations, and proceedings against the parliament during the war, void and of no effect; the third annulled all titles of honour granted since the 20th of May, 1642, and deprived all peers to be created hereafter of the right of sitting in parliament, without the consent of the two houses; and the fourth gave to the houses the power of adjourning from place to place at their discretion*. The Scots, to delay the proceedings, asked
- Dec. 15. for a copy of the bills, and remonstrated against the alterations which had been made in the propositions of peace. Their language was bold and irritating: they characterized the conduct of the parliament as a violation of the league and covenant; and they openly charged the houses with suffering themselves to be controlled by a body, which owed its origin and its subsistence to their authority. But the independents were
19. not to be awed by the clamour of men, whom they knew to be enemies under the name of allies: they voted the interference of any foreign nation in acts of parliament a denial of the independence of the kingdom, and ordered

* Journals, ix. 575. Charles's works, 590—593. Now let the reader turn to Clarendon, History, iii. 93. He tells us, that by one, the king was to have confessed himself the author of the war, and guilty of all the blood which had been spilt; by another, he was to dissolve the government of the church, and grant all lands belonging to the church to other uses; by a third, to settle the militia without reserving so much power to himself, as any subject was capable of; and in the last place, he was in effect to sacrifice all those who had served him, or adhered to him, to the mercy of the parliament. When this statement is compared with the real bills, it may be judged how little credit is due to the assertions of Clarendon, unless they are supported by other authorities.

the bills to be laid before the king for his assent with- Dec.
out further delay. The Scots hastened to Carisbrook, 24.
in appearance to protest against them, but with a more
important object in view. They now relaxed from their
former obstinacy; they no longer insisted on the positive
confirmation of the covenant, but were content with a
promise, that Charles should make every concession in
point of religion, which his conscience would allow.
The treaty which had been so long in agitation between
them, was privately signed; and the king returned this 28.
answer to the two houses, that neither his present
sufferings, nor the apprehension of worse treatment,
should ever induce him to give his assent to any bills as
a part of the agreement, before the whole was concluded*.

Aware of the consequences of his refusal, Charles had
resolved to anticipate the vengeance of the parliament
by making his escape the same evening to a ship which
had been sent by the queen, and had been waiting for
him several days in Southampton water; but he was
prevented by the vigilance of Hammond, who closed
the gates on the departure of the commissioners, doubled
the guards, confined the royal captive to his chamber,
and dismissed Ashburnham, Berkeley, Legge, and the
greater part of his attendants†. An attempt to raise in
his favour the inhabitants of the island was instantly
suppressed, and its author, Burley, formerly a captain in
the royal army, suffered the punishment of a traitor. 1648.
The houses resolved, (and the army promised to live Jan.
and die with them in defence of the resolution ‡,) that 3.
they would receive no additional message from the king; and
that they would send no address or application to him; 15.

* Journals, ix. 575. 578. 582. 591. 604. 615. 621. Charles's works, 594. Memoirs of Hamiltons, 334.

† Ashburnham, ii. 121. Berkeley, 387. 393.

‡ On Jan. 11, before the vote passed an address was presented from the general and the council of war by seven colonels and other officers to the house of commons, expressive of the resolution of the army to stand by the parliament; and another to the house of lords, expressive of their intention to preserve inviolate the rights of the peerage. Of the latter no notice is taken in the journals of the house. Journ. v. Jan. 11. Parl. Hist. vi. 835.

Jan. 17. that, if any other person did so without leave, he should be subject to the penalties of high treason; and that the committee of public safety should be renewed to sit and act alone, without the aid of foreign coadjutors. This last hint was understood by the Scots: they made a demand of the 100,000*l.* due to them by the treaty of evacuation, and announced their intention of returning immediately to their own parliament*.

Feb. 2. The king appeared to submit with patience to the new restraints imposed on his freedom; and even affected an air of cheerfulness, to disguise the design which he still cherished of making his escape. The immediate charge of his person had been intrusted to four warders of approved fidelity, who, two at a time, undertook the task in rotation. They accompanied the captive wherever he was, at his meals, at his public devotions, during his recreation on the bowling-green, and during his walks round the walls of the castle. He was never permitted to be alone, unless it were in the retirement of his bed-chamber; and then one of the two warders was continually stationed at each of the doors which led from that apartment. Yet in defiance of these precautions (such was the ingenuity of the king, so generous the devotion of those who sought to serve him), he found the means of maintaining a correspondence with his friends on the coast of Hampshire, and through them with the English royalists, the Scottish commissioners in Edinburgh, the queen at Paris, and the duke of York at St. James's, who soon afterwards, in obedience to the Apr. 22. command of his father, escaped in the disguise of a female to Holland†.

* The vote of non-addresses passed by a majority of 141 to 92. Journals, v. Jan. 3. See also Jan. 11. 15, 1648. Lords' Journals, ix. 640, 662. Rushworth, vii. 953, 961, 965. Leicester's Journal, 30.

† Journals, x. 35, 76, 220. Rushworth, vii. 984, 1002, 1067, 1109. Clarendon, iii. 129. One of those through whom Charles corresponded with his friends, was Firebrace, who tells us that he was occasionally employed by one of the warders to watch for him at the door of the king's bed-chamber, and on such occasions gave and received papers through a small crevice in the boards. See his account in the additions to Herbert's Memoirs, p. 187. The manner of the duke's escape is related in his life, i. 33.

In the mean while an extraordinary ferment seemed to agitate the whole mass of the population. With the exception of the army every class of men was dissatisfied. Though the war had ceased twelve months before, the nation enjoyed few of the benefits of peace. Those forms and institutions, the safeguards of liberty and property, which had been suspended during the contest, had not been restored: the committees in every county continued to exercise the most oppressive tyranny; and a monthly tax was still levied for the support of the forces, exceeding in amount the sums which had been exacted for the same purpose during the war. No man could be ignorant that the parliament, nominally the supreme authority, was under the control of the council of officers; and the continued captivity of the king, the known sentiments of the agitators, and, above all, the vote of non-addresses, provoked a general suspicion, that it was in contemplation to abolish the monarchical government, and to introduce in its place a military despotism. Four-fifths of the nation began to wish for the re-establishment of the throne. Much diversity of opinion prevailed with respect to the conditions; but all agreed that what Charles had so often demanded, a personal treaty, ought to be granted, as the most likely means to reconcile opposite interests, and to lead to a satisfactory arrangement.

Soon after the passing of the vote of non-addresses, Jan. the king had appealed to the good sense of the people 18. through the agency of the press. He put it to them to judge between him and his opponents, whether by his answer to the four bills he had given any reasonable cause for their violent and unconstitutional vote; and whether they, by the obstinate refusal of a personal conference, had not betrayed their resolve not to come to any accommodation*. The impression made by this paper called for an answer: a long and laboured vindica-

* King's Works, 130. Parl. Hist. iii. 863.

tion of the proceedings of the house of commons was prepared, and after many erasures and amendments approved; and copies of it were allotted to the members to be circulated among their constituents, and others were sent to the curates to be read by them to their parishioners *. It contained a tedious enumeration of all the charges, founded or unfounded, which had ever been made against the king from the commencement of his reign; and thence deduced the inference that, to treat with a prince so hostile to popular rights, so often convicted of fraud and dissimulation, would be nothing less than to betray the trust reposed in the two houses by the country. But the framers of the vindication marred their own object. They had introduced much questionable matter, and made numerous statements open to refutation: the advantage was eagerly seized by the royalists: and, notwithstanding the penalties recently enacted on account of unlicensed publications, several answers, eloquently and convincingly written, were circulated in many parts of the country. Of these the most celebrated came from the pens of Hyde the chancellor, and of Dr. Bates, the king's physician †.

But, whilst the royal cause made rapid progress among the people, in the army itself the principles of the levellers had been embraced by the majority of the privates, and had made several converts among the officers. These fanatics had discovered in the Bible, that the government of kings was odious in the sight of God ‡, and contended that in fact Charles had now no claim to the sceptre. Protection and allegiance were reciprocal. At his accession he had bound himself by oath to protect the liberties of his subjects, and by the violation of that oath he had released the people from the obligation of allegiance to him. For the decision of the question he had appealed to the God of battles, who, by the result,

* Journals, v. Feb. 10. 11. Parl. Hist. iii. 847. Perrinchief, 44.

† Ibid.: Parl. Hist.: iii. 866. King's Works, 132.

‡ 1 Kings, viii. 8.

had decided against his pretensions. He therefore was answerable for the blood which had been shed ; and it was the duty of the representatives of the nation to call him to justice for the crime, and, in order to prevent the recurrence of similar mischiefs, to provide for the liberties of all, by founding an equal commonwealth on the general consent. Cromwell invited the patrons of this doctrine to meet at his house the grantees (so they were called) of the parliament and army. The question was argued : but both he and his colleagues were careful to conceal their real sentiments. They did not openly contradict the principles laid down by the levellers, but they affected to doubt the possibility of reducing them to practice. The truth was, that they wished not to commit themselves by too explicit an avowal, before they could see their way plainly before them *.

In this feverish state of the public mind in England, every eye was turned towards the proceedings in Scotland. For some time a notion had been cherished by the Scottish clergy, that the king at Carisbrook had not only subscribed the covenant, but had solemnly engaged to enforce it throughout his dominions ; and the prospect of a speedy triumph over the independents induced them to preach a crusade from the pulpit in favour of the kirk and the throne. But the return of the commissioners, and the publication of "the agreement" with the king, bitterly disappointed their hopes. It was found that Charles had indeed consented to the establishment of presbyterianism in England, but only as an experiment for three years, and with the liberty of dissent both for himself, and for those who might choose to follow his example. Their invectives were no longer pointed against the independents ; "the agreement" and its advocates became the objects of their fiercest attacks. Its provisions were said to be unwarranted by the powers of the commissioners, and its purpose was pronounced an act of apostacy from the covenant, an impious attempt

* Ludlow, l. 206. Whitelock, 317.

to erect the throne of the king in preference to the throne of Christ. Their vehemence intimidated the Scottish parliament, and admonished the duke of Hamilton to proceed with caution. That nobleman, whose imprisonment ended with the surrender of Pendennis, had waited on the king in Newcastle; a reconciliation followed; and he was now become the avowed leader of the royalists and moderate presbyterians. That he might not irritate the religious prejudices of his countrymen, he sought to mask his real object, the restoration of the monarch, under the pretence of suppressing heresy and schism; he professed the deepest veneration for the covenant, and the most implicit deference to the authority of the kirk; he listened with apparent respect to the remonstrances of the clerical commission, and openly solicited its members to aid the parliament with their wisdom, and to state their desires. But these were mere words intended to lull suspicion. By dint of numbers (for his party comprised two-thirds of the convention), he obtained the appointment of a committee of danger; this was followed by a vote to place the kingdom in a posture of defence; and the consequence of that vote was the immediate levy of reinforcements for the army. But his opponents under the earl of Argyle threw every obstacle in his way. They protested in parliament against the war; the commissioners of the kirk demanded that their objections should be previously removed; the women cursed the duke as he passed, and pelted him with stones from their windows; and the ministers from their pulpits denounced the curse of God on all who should take a share in the unholy enterprise. Forty thousand men had been voted; but though force was frequently employed, and blood occasionally shed, the levy proceeded so slowly, that even in the month of July the grand army hardly exceeded one fourth of that number*.

* Memoirs of the Hamiltons, 339. 347. 353. Thurlow, l. 94. Rash.

By the original plan devised at Hampton court, it had been arranged that the entrance of the Scots into England should be the signal for a simultaneous rising of the royalists in every quarter of the kingdom. But the former did not keep their time, and the zeal of the latter could not brook delay. The first who proclaimed the Mar. king, was a parliamentary officer, colonel Poyer, mayor 3. of the town, and governor of the castle, of Pembroke. He refused to resign his military appointment at the command of Fairfax, and, to justify his refusal, unfurled the royal standard. Poyer was joined by Langherne and Powel, two officers whose forces had lately been disbanded. Several of the men hastened to the aid of their former leaders; the cavaliers ran to arms in both divisions of the principality; a force of 8000 men was formed; Chepstow was surprised, Carnarvon besieged, May and colonel Fleming defeated. By these petty successes 1. the unfortunate men were lured on to their ruin. Horton checked their progress; Cromwell followed with five regiments to punish their presumption. The tide immediately changed. Langherne was defeated; Chepstow was recovered; the besiegers of Carnarvon were cut to pieces. On the refusal of Poyer to surrender, the lieutenant-general assembled his corps after sunset, and 20. the fanatical Hugh Peters foretold that the ramparts of Pembroke, like those of Jericho, would fall before the army of the living God. From prayer and sermon the men hastened to the assault; the ditch was passed, the walls were scaled; but they found the garrison at its post, and after a short, but sanguinary contest, Cromwell ordered a retreat. A regular siege was now formed; and the independent general, notwithstanding his impatience to proceed to the north, was detained more than six weeks before this insignificant fortress*.

Scarcely a day passed, which was not marked by some

worth, vii. 1031. 48. 52. 67. 114. 132, two circumstantial and interesting letters from Baillie, ii. 280—297. Whitelock, 305. Turner, 52.

* Lords' Journals, x. 83. 253. Rushworth, vii. 1016, 38. 66. 97. 129. Heath, 171. Whitelock, 303. 305. May, 116.

new occurrence indicative of the approaching contest.

- April An alarming tumult in the city, in which the apprentices
 9. forced the guard, and ventured to engage the military under the command of the general, was quickly followed by similar disturbances in Norwich, Thetford, Canterbury, Exeter, and several other towns. They were, indeed, suppressed by the vigilance of Fairfax and the county committees; but the cry of "God and the king," echoed and re-echoed by the rioters on these occasions, sufficiently proved that the popular feeling was setting fast in favour of royalty. At the same time petitions from different public bodies poured into the two houses, all concurring in the same prayer, that the army should be disbanded, and the king brought back to his capital *. The independent leaders, aware that it would not be in their power to control the city while their forces were employed in the field, sought a reconciliation. The parliament was suffered to vote that no change should be made in the fundamental government of the realm by king, lords, and commons; and the citizens in return engaged themselves to live and die with the parliament. Though the promises on both sides were known to be insincere, it was the interest of each to dissemble.
- May Fairfax withdrew his troops from Whitehall and the
 2. Mews; the charge of the militia was once more intrusted to the lord mayor and the aldermen; and the chief command was conferred on Skippon, an officer who, if he did not on every subject agree with the independents, was yet distinguished by his marked opposition to the policy of their opponents.

The inhabitants of Surrey and Essex felt dissatisfied with the answers given to their petitions: those of Kent repeatedly assembled to consider their grievances, and to consult on the means of redress. These meetings, which originated with a private gentleman of the name of Hales, soon assumed the character of loyalty and de-

* Journals, 243. 60. 67. 72. Commons, April 13. 27. May 16. White-lock, 299. 302. 3. 5. 6.

fiance. Associations were formed, arms were collected, May
 and on an appointed day a general rising took place. 23.
 The inhabitants of Deal distinguished themselves on
 this occasion; and Rainsborowe, the parliamentary
 admiral, prepared to chastise their presumption. Leav- 27.
 ing orders for the fleet to follow, he proceeded in his
 barge to reconnoitre the town: but the men, several of
 whom had families and relatives in it, began to murmur,
 and Lindale, a boatswain in the admiral's ship, proposed
 to declare for the king. He was answered with accla-
 mations; the officers were instantly arrested; the crews
 of the other ships followed the example; the arguments
 and entreaties of Rainsborowe himself, and of the earl
 of Warwick, who addressed them in the character of lord
 high admiral, were disregarded, and the whole fleet,
 consisting of six men-of-war fully equipped for the sum-
 mer service, sailed under the royal colours to Helvoet-
 sluys, in search of the young duke of York, whom they
 chose for their commander-in-chief*. But the alarm
 excited by this revolt at sea was quieted by the success
 of Fairfax against the insurgents on land. The cava- June
 liers had ventured to oppose him in the town of Maid- 1.
 stone, and for six hours, aided by the advantage of their
 position, they resisted the efforts of the enemy; but
 their loss was proportionate to their valour, and two
 hundred fell in the streets, four hundred were made pri-
 soners. Many of the countrymen, discouraged by this
 defeat, hastened to their homes. Goring, earl of New-
 port, putting himself at the head of a different body, ad- 2.
 vanced to Blackheath, and solicited admission into the
 city. It was a moment big with the most important
 consequences. The king's friends formed a numerous
 party; the common council wavered; and the parlia-
 ment possessed no armed force to support its authority.
 The leaders saw that they had but one resource, to win
 by conciliation. The aldermen imprisoned at the re- 3.
 quest of the army were set at liberty; the impeachment

* Life of James II. i. 41.

against the six lords was discharged ; and the excluded members were permitted to resume their seats. These concessions, aided by the terror which the victory at Maidstone inspired, and by the vigilance of Skippon, who intercepted all communication between the royalists and the party at Blackheath, defeated the project of Goring.

June 4. That commander, having received a refusal, crossed the river, with 5000 horse, was joined by lord Capel with the royalists from Hertfordshire, and by sir Charles Lucas with a body of horse from Chelmsford, and assuming the command of the whole, fixed his head quarters in Colchester. The town had no other fortification than a low rampart of earth ; but, relying on his own resources and the constancy of his followers, he resolved to defend it against the enemy, that he might detain Fairfax and his army in the south, and keep the north open to the advance of the Scots. This plan succeeded : Colchester was assailed and defended with equal resolution ; nor was its fate decided till the failure of the Scottish invasion had proved the utter hopelessness of the royal cause*.

It soon appeared that the restoration of the impeached and excluded members, combined with the departure of the officers to their commands in the army, had imparted a new tone to the proceedings in parliament. Holles resumed not only his seat, but his preponderance in the lower house. The measures which his party had formerly approved were again adopted ; and a vote was passed to open a new treaty with the king, on condition that he should previously engage to give the royal assent to three bills, revoking all declarations against the parliament, establishing the presbyterian discipline for the term of three, and vesting the command of the army and navy in certain persons during that of ten years. But among the lords a more liberal spirit prevailed. The imprisonment of the six peers had taught them a salu-

* Journals, x. 276. 8, 9. 283. 9. 297. 301. 304. Commons, May 24, 25. June 4. 8. Whitelock, 307. 8. 9. 310. Clarendon, iii. 133. 151, 154.

tary lesson. Aware that their own privileges would infallibly fall with the throne, they rejected the three bills of the commons, voted a personal treaty without any previous conditions, and received from the common council an assurance that, if the king were suffered to come to London, the city would guarantee both the royal person and the two houses from insult and danger. But Holles and his adherents refused to yield; conference after conference was held; and the two parties continued for more than a month to debate the subject without interruption from the independents. These had no leisure to attend to such disputes. Their object was to fight and conquer, under the persuasion that victory in the field would restore to them the ascendancy in the senate*.

It was now the month of July, and the English royalists had almost abandoned themselves to despair, when they received the cheering intelligence that the duke of Hamilton had at last redeemed his promise, and entered England at the head of a numerous army. The king's adherents in the northern counties had already surprised Berwick and Carlisle; and, to facilitate his entry, had for two months awaited with impatience his arrival on the borders. The approach of Lambert, the parliamentary general, compelled them to seek shelter within the walls of Carlisle, and the necessity of saving that important place compelled the duke to despatch a part of his army to its relief. Soon afterwards he arrived himself. Report exaggerated his force to 30,000 men, though it did not in fact amount to more than half that number; but he was closely followed by Monroe, who led 3000 veterans from the Scottish army in Ireland, and was accompanied or preceded by sir Marmaduke Langdale, the commander of 4000 cavaliers, men of approved valour, who had staked their all on the result. With such an army a general of talent and enterprise

April
28July
8.

* Journals, 308. 349. 351. 362. 364, 367. Commons, July 5. Whitelock, 315. 316. 318. 319. Ludlow, i. 251.

might have re-placed the king on his throne; but Hamilton, though possessed of personal courage, was diffident of his own powers, and resigned himself to the guidance of men who sacrificed the interests of the service to their private jealousies and feuds. Forty days were consumed in a short march of eighty miles; and when the decisive battle was fought, though the main body had reached the left bank of the Ribble near Preston, the rear guard, under Monroe, slept in security at Kirkby Lonsdale. Lambert had retired slowly before the advance of the Scots, closely followed by Langdale and his cavaliers; but in Otley park he was joined by Cromwell, with several regiments which had been employed in the reduction of Pembroke. Their united force did not exceed 9000 men: but the impetuosity of the general despised inequality of numbers; and the ardour of his men induced him to lead them without delay against the enemy. From Clithero, Langdale fell back on the Scottish army near Preston, and warned the duke to prepare for battle on the following day. Of the
Aug. 17. disasters which followed, it is impossible to form any consistent notion from the discordant statements of the Scottish officers, each of whom, anxious to exculpate himself, laid the chief blame on some of his colleagues. This only is certain, that the cavaliers fought with the obstinacy of despair; that for six hours they bore the whole brunt of the battle; that as they retired from hedge to hedge, they solicited from the Scots a reinforcement of men, and a supply of ammunition; and that, unable to obtain either, they retreated into the town, where they discovered that their allies had crossed to the opposite bank, and were contending with the enemy for the possession of the bridge. Langdale, in this extremity, ordered his infantry to disperse, and with the cavalry and the duke, who had refused to abandon his English friends, swam across the Ribble. Cromwell won the bridge, and the royalists fled in the night toward Wigan.

Of the Scottish forces, none but the regiments under Monroe and the stragglers who rejoined him returned to their native country. Two thirds of the infantry, in their eagerness to escape, fell into the hands of the neighbouring inhabitants; nor did Baillie, their general, when he surrendered at Warrington, number more than 3000 men under their colours. The duke wandered as far as Uttoxeter with the cavalry: there his followers mutinied, and he yielded himself a prisoner to general Lambert and the lord Grey of Groby. The cavaliers disbanded themselves in Derbyshire; their gallant leader, who travelled in the disguise of a female, was discovered and taken in the vicinity of Nottingham: but lady Savile bribed his keeper: dressed in a clergyman's cassock he escaped to the capital; and remained there in safety with Dr. Barwick, being taken for an Irish minister driven from his cure by the Irish catholics*.

On the very day on which the Scots began their march, a feeble attempt had been made to assist their advance by raising the city of London. Its author was one who by his inconstancy had deservedly earned the contempt of every party, the earl of Holland. He had during the contest passed from the king to the parliament, and from the parliament to the king. His ungracious reception by the royalists induced him to return to their opponents, by whom he was at first treated with severity, afterwards with neglect. Whether it were resentment or policy, he now professed himself a true peni-

* *Lords' Journals*, x. 455—458. *Rushworth*, vii. 1227. 1242. *Barwicci Vita*, 66. The narrative in Burnet's *Memoirs of the Hamiltons* (355—365) should be checked by that in *Clarendon* (iii. 150. 160). The first was derived from sir James Turner (*Turner's Mem.* 63.) who held a command in the Scottish army; the second from sir Marmaduke Langdale. According to Turner, Langdale was ignorant, or kept the Scots in ignorance, of the arrival of Cromwell and his army: according to Langdale, he repeatedly informed them of it, but they refused to give credit to the information. Langdale's statement is confirmed by Dachmont, who affirmed to Burnet, that "on fryday before Preston the duke read to Douchel and him a letter " he had from Langdale, telling how the enemy had rendezvoused at Oatley and Oatley park, wher Cromwell was." See a letter from Burnet to Turner in App. to *Turner's Mem.* 251. Monroe also informed the duke, probably by Dachmont, of Cromwell's arrival at Skipton. *Ibid.* 249.

- tent, offered to redeem his past errors by future services, and obtained from the prince of Wales a commission to raise forces. As it had been concerted between him
- July 5. and Hamilton, on the fifth of July he marched at the head of 500 horse, in warlike array from his house in the city, and having fixed his quarters in the vicinity of Kingston, sent messages to the parliament and the common council, calling on them to join with him in putting
7. an end to the calamities of the nation. On the second day, through the negligence, it was said, of Dalbier, his military confidant, he was surprised, and after a short conflict, fled with a few attendants to St. Neots; there
10. a second action followed, and the earl surrendered at discretion to his pursuers. His misfortune excited little interest; but every heart felt compassion for two young noblemen whom he had persuaded to engage in this rash enterprise, the duke of Buckingham and his brother the lord Francis Villiers. The latter was slain at Kingston; the former, after many hair-breadth escapes, found an asylum on the continent*.

The discomfiture of the Scottish army was followed by the surrender of Colchester. While there was an object to fight for, Goring and his companions had cheerfully submitted to every privation; now that not a hope remained, they offered to capitulate, and received for answer that quarter would be granted to the privates, but that the officers had been declared traitors by the parliament, and must surrender at discretion. These

Aug. 28 terms were accepted: the council deliberated on the fate of the captives: Goring, Capel, and Hastings, brother to the earl of Huntingdon, were reserved for the judgment of the parliament; but two, sir George Lisle and sir Charles Lucas, because they were not men of family but soldiers of fortune †, were selected for immediate execution. Both had been distinguished by their

* Clarendon, iii. 121. 176. Whitelock, 317, 318, 320. Lords' Journals, 367. Commons, July 7. 12. Leicester's Journal, 35.

† This is the reason assigned by Fairfax himself. Mem. 450.

bravery, and were reckoned among the first commanders in the royal service. Lucas, tearing open his doublet, exclaimed, "Fire, rebels!" and instantly fell. Lisle ran to him, kissed his dead body, and turning to the soldiers, desired them to advance nearer. One replied, "Fear not, sir, we shall hit you." "My friends," he answered, "I have been nearer when you have missed me." The blood of these brave men impressed a deep stain on the character of Fairfax, nor was it wiped away by the efforts of his friends, who attributed their death to the revengeful counsels of Ireton*.

At this time the prince of Wales had been more than six weeks in the Downs. As soon as he heard of the revolt of the fleet, he repaired to the Hague, and taking upon himself the command, hastened with nineteen sail to the English coast. Had he appeared before the Isle of Wight, there can be little doubt that Charles July would have recovered his liberty; but the council with 20. the prince decided that it was more for the royal interest to sail to the mouth of the river, where they long continued to solicit by letters the wavering disposition of the parliament and the city. While Hamilton advanced, there seemed a prospect of success: the destruction of his army extinguished their hopes. The king, by a private message, suggested that before their departure from the coast, they should free him from his captivity. But the mariners proved that they were the masters. They demanded to fight the hostile fleet under the earl of Warwick, who studiously avoided an engagement, that he might be joined by a squadron from Portsmouth. During two days the royalists offered Aug. him battle: by different manœuvres he eluded their at- 30. tempts; and on the third day the want of provisions compelled the prince to steer for the coast of Holland, without paying attention to the request of his royal

* Journals, x. 477. Rushworth, vii 1242. 1244. Clarendon, iii. 177. Fairfax says in his vindication that they surrendered "*at mercy*, which means that some are to suffer, some to be spared." Mem. p. 540.

father. Warwick, who had received his reinforcements, followed at a considerable distance: but, though he defended his conduct on motives of prudence, he did not escape the severe censure of the independents and levelers, who maintained that the cause had always been betrayed when it was intrusted to the cowardice or disaffection of noble commanders*.

It is now time to revert to the contest between the two houses respecting the proposed treaty with the king.

July Towards the end of July the commons had yielded to
28. the obstinacy of the lords; the preliminary conditions
Aug. on which they had insisted, were abandoned, and the
3. vote of non-addresses was repealed. Hitherto these proceedings had been marked with the characteristic slowness of every parliamentary measure: but the victory of Cromwell over Hamilton, and the danger of interference on the part of the army, alarmed the presbyterian leaders; and fifteen commissioners, five lords,
Sept. 1. and ten commoners, were appointed to conduct the ne-
15. gociation†. At length they arrived: Charles repaired
18. from his prison in Carisbrook castle to the neighbouring town of Newport: he was suffered to call around him his servants, his chaplains, and such of his counsellors as had taken no part in the war; and, as far as outward appearances might be trusted, he had at length obtained the free and honourable treaty which he had so often solicited. Still he felt that he was a captive, under promise not to leave the island till twenty days after the conclusion of the treaty, and he soon found, in addition, that he was not expected to treat, but merely to submit. How far the two houses might have yielded in other circumstances, is uncertain: but, under the present superiority of the army, they dared not descend from the

* Lords' Journals, x. 399. 414. 417. 426. 444. 483. 488. 494. Clarendon Papers, ii. 412. 414.

† They were the earls of Northumberland, Salisbury, Pembroke, and Middlesex, the lords Say and Seale, lord Wenman, sir Henry Vane, junior, sir Harbottle Grimstone, and Holles, Pierrepont, Brown, Crew, Glyn, Potts, and Bulkely.

lofty pretensions which they had previously put forth. The commissioners were permitted to argue, to advise, to entreat; but they had no power to concede; their instructions bound them to insist on the king's assent to every proposition which had been submitted to his consideration at Hampton court. To many of these demands Charles made no objection; in lieu of those which he refused, he substituted proposals of his own, which were forwarded to the parliament, and voted unsatisfactory. He offered new expedients and modifications; but the same answer was invariably returned, till the necessity of his situation wrung from the unfortunate prince his unqualified assent to most of the articles in debate. On four points only he remained inflexible. Though he agreed to suspend for three years, he refused to abolish entirely, the functions of the bishops; he objected to the perpetual alienation of the episcopal lands, but proposed to grant leases of them for lives or for ninety-nine years in favour of the present purchasers: he contended that all his followers, without any exception, should be admitted to compound for their delinquency; and he protested that, till his conscience were satisfied of the lawfulness of the covenant, he would neither swear to it himself, nor impose it upon others. Such was the state of the negociation, when the time Nov. allotted by the parliament expired; and a prolongation 5. for twenty days was voted*.

* The papers given in during this treaty may be seen in the Lords' Journals, x. 474—618. The best account is that composed by order of the king himself, for the use of the prince of Wales. Clarendon Papers, ii. 425—449. I should add, that a new subject of discussion arose incidentally during the conferences. The lord Inchiquin had abandoned the cause of the parliament in Ireland, and, at his request, Ormond had been sent from Paris by the queen and the prince, to resume the government, with a commission to make peace with the catholic party. Charles wrote to him two letters (Oct. 10. 28. Carte, ii. app. xxxi. xxxii.) ordering him to follow the queen's instructions, to obey no commands from himself as long as he should be under restraint, and not to be startled at his concessions respecting Ireland, for they would come to nothing. Of these letters the houses were ignorant: but they got possession of one from Ormond to the Irish catholics, and insisted that Charles should order the lord lieutenant to desist. This he eluded for some time, alleging that if the treaty took effect, their desire was already granted by his previous

Sept. 11. The independents from the very beginning had disapproved of the treaty. In a petition presented by "thousands of well-affected persons in and near London," they enumerated the objects for which they had fought, and which they now claimed as the fruit of their victory. Of these the principal were, that the supremacy of the people should be established against the negative voice of the king and of the lords; that to prevent civil wars, the office of the king and the privileges of the peers should be clearly defined; that a new parliament, to be elected of course and without writs, should assemble every year, but never for a longer time than forty or fifty days; that religious belief and worship should be free from restraint or compulsion; that the proceedings in law should be shortened, and the charges ascertained; that tithes for the support of the clergy, and perpetual imprisonment for debt should be abolished; and that the parliament "should lay to heart the blood spilt, and the rapine perpetrated by commission from the king, and consider whether the justice of God could be satisfied, or his wrath be appeased, by an act of oblivion." This instrument is the more deserving of attention, because it points out the political views which actuated the leaders of the party*.

In the army, flushed as it was with victory, and longing for revenge, maxims began to prevail of the most dangerous tendency in respect of the royal captive. The politicians maintained that no treaty could be safely made with the king, because if he were under restraint, he could not be bound by his consent; if he were restored to liberty, he could not be expected to make any concessions. The fanatics went still further. They had read in the book of Numbers that "blood defileth the land, and the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed

concessions; if it did not, no order of his would be obeyed. At last he consented, and wrote the letter required. Journals, x. 576—578. 597. 618 Clarendon Papers, ii. 441. 445. 452.

* Whitelock, 335.

“ it ;” and hence they inferred that it was a duty, imposed on them by the God who had given them the victory, to call the king to a strict account for all the blood which had been shed during the civil war. Among these one of the most eminent was colonel Ludlow, a member of parliament, who, having persuaded himself that the anger of God could be appeased only by the death of Charles, laboured, though in vain, to make Fairfax a convert to his opinion. He proved more suc- Oct.
 cessful with Ireton, whose regiment petitioned the com- 18.
 mander-in-chief, that crime might be impartially punished without any distinction of high or low, rich or poor; that all who had contrived or abetted the late war might receive their just deserts; and that whosoever should speak or act in favour of the king, before he had been acquitted of shedding innocent blood, should incur the penalties of treason. The immediate object of this paper was to try the general disposition of the army. Though it did not openly express, it evidently contemplated the future trial of the king, and was followed by another petition from the regiment of colonel Ingoldsby, which, in plainer and bolder terms, 30.
 demanded that the monarch and his adherents should be brought to justice; condemned the treaty between him and the parliament as dangerous and unjust; and required the appointment of a council of war to discover an adequate remedy for the national evils. Fairfax had not the courage to oppose what, in his own judgment, he disapproved: the petitions were laid before an assembly of officers; and the result of their deliberation was a remonstrance of enormous length, which, in a Nov.
 tone of menace and asperity, proclaimed the whole plan 16.
 of the reformers. It required that “ the capital and “ grand author of all the troubles and woes which the “ kingdom had endured, should be speedily brought to “ justice for the treason, blood, and mischief of which “ he had been guilty;” that a period should be fixed for the dissolution of the parliament; that a more equal

representation of the people should be devised ; that the representative body should possess the supreme power, and elect every future king ; and that the prince so elected should be bound to disclaim all pretensions to a negative voice in the passing of laws, and to subscribe to that form of government which he should find established by the present parliament. This remonstrance Nov. 18. was addressed to the lower house alone ; for the reformers declared themselves unable to understand on what ground the lords could claim co-equal power with the representatives of the people, in whom alone the sovereignty resided *. It provoked a long and animated debate ; but the presbyterians met its advocates without fear, and silenced them by an overwhelming majority. They felt that they were supported by the general wish of the nation, and trusted that if peace were once established by agreement with the king, the officers would not dare to urge their pretensions. With this view they appointed a distant day for the consideration of the remonstrance, and instructed the commissioners at Newport to hasten the treaty to a speedy conclusion †.

The king now found himself driven to the last extremity. The threats of the army resounded in his ears ; his friends conjured him to recede from his former answers ; and the commissioners declared their conviction, that without full satisfaction, the two houses could not save him from the vengeance of his enemies. To add to his alarm, Hammond, the governor of the island, had received a message from Fairfax to repair without delay 25. to the head-quarters at Windsor. This was followed by 26. the arrival of colonel Eure, with orders to seize the king, and confine him again in Carisbrook castle, or, if he met with opposition, " to act as God should direct " him." Hammond replied with firmness, that in military matters he would obey his general ; but as to the

* Whitelock, 343. 346. 355. Rushworth, vii. 1298. 1311. 1331.

† Journals of Commons, Nov. 20. 24. 30. There were two divisions relating to this question ; in the first the majority was 94 to 60, in the second 125 to 58.

royal person, he had received the charge from the parliament, and would not suffer the interference of any other authority. Eure departed: but Charles could no longer conceal from himself the danger which stared him in the face; his constancy or obstinacy relented; and he agreed, after a most painful struggle, and when Nov. the time was run to the last minute, to remit the com- 27. positions of his followers to the mercy of parliament; to consent to the trial of the seven individuals, excepted from pardon, provided they were allowed the benefit of the ancient laws; and to suspend the functions and vest in the crown the lands of the bishops, till religion should be settled, and the support of its ministers determined by common consent of the king and the two houses. By this last expedient it was hoped that both parties would be satisfied: the monarch, because the order was not abolished, nor its lands alienated for ever; the parliament, because neither one nor the other could be restored without its previous consent*.

In the morning, when the commissioners took their 28. leave, Charles addressed them with a sadness of countenance, and in a tone of voice which drew tears from all

* Clarendon Papers, 449—454. Journals, x. 620—622. The royalists excepted from mercy were the marquess of Newcastle, sir Marmaduke Langdale, lord Digby, sir Richard Grenville, Mr. justice Jenkins, sir Francis Doddington, and lord Byron. It appears to me difficult to read the letters written by Charles, during the treaty, to his son the prince of Wales (Clarendon Papers, ii. 425—454), and yet believe that he acted with insincerity. But how then, asks Mr. Laing (Hist. of Scotland, iii. 411), are we to account for his assertion to Ormond, that the treaty would come to nothing, and for his anxiety to escape manifested by his correspondence with Hopkins? (Wagstaff's Vindication of the Royal Martyr, 142—161.) 1°. Charles knew that, besides the parliament, there was the army, which had both the will and the power to set aside any agreement which might be made between him and the parliament; and hence arose his conviction that "the treaty would come to nothing." 2°. He was acquainted with all that passed in the private councils of his enemies; with their design to bring him to trial and to the scaffold; and he had also received a letter, informing him of an intention to assassinate him during the treaty. (Herbert, 134.) Can we be surprised, if, under such circumstances, he sought to escape? Nor was his parole an objection. He conceived himself released from it by misconduct on the part of Hammond, who, at last, aware of that persuasion, prevailed on him, though with considerable difficulty, to renew his pledge. (Journals, x. 59.) After this renewal he re-used to escape even when every facility was offered him. Rushworth, vii. 1344.

his attendants. "My lords," said he, "I believe we shall scarce ever see each other again. But God's will be done! I have made my peace with him, and shall undergo without fear whatever he may suffer men to do to me. My lords, you cannot but know that in my fall and ruin you see your own, and that also near you. I pray God send you better friends than I have found. I am fully informed of the carriage of them who plot against me and mine: but nothing affects me so much as the feeling I have of the sufferings of my subjects, and the mischief that hangs over my three kingdoms, drawn upon them by those who, upon pretences of good, violently pursue their own interests and ends*." Hammond departed at the same time with the commissioners, and the command at Carisbrook devolved on Boreman, an officer of the militia, at Newport on Rolfe, a major in the army. To both he gave a copy of his instructions from the parliament for the safety of the royal person: but the character of Rolfe was known; he had been charged with a design to take the king's life six months before, and had escaped a trial by the indulgence of the grand jury, who ignored the bill, because the main fact was attested by the oath of only one witness†.

Nov. 29. The next morning a person in disguise ordered one of the royal attendants to inform the king that a military force was on its way to make him prisoner. Charles immediately consulted the duke of Richmond, the earl of Lindsey, and colonel Coke, who joined in conjuring him to save his life by an immediate escape. The night was dark and stormy: they were acquainted with the watch-word; and Coke offered him horses and a boat. But the king objected, that he was bound in honour to remain twenty days after the treaty, nor would he admit of the distinction which they suggested, that his parole was given not to the army, but to the parliament.

* Appendix to Evelyn's Memoirs, ii. 128.

† Journals, x. 615. 345. 349. 358. 370. 390. Clarendon, iii. 234.

It was in vain that they argued and entreated : Charles, Nov. with his characteristic obstinacy, retired to rest about 30 midnight ; and in a short time lieutenant-colonel Cobbett arrived with a troop of horse and a company of foot. Boreman refused to admit him into Carisbrook. But Rolfe offered his aid at Newport ; at five the king was awakened by a message that he must prepare to depart ; and about noon he was safely lodged in Hurst castle, situate on a solitary rock, and connected by a narrow causeway, two miles in length, with the opposite coast of Hampshire*.

The same day the council of officers published a menacing declaration against the house of commons. It charged the majority with apostacy from their former principles, and appealed from their authority to " the extraordinary judgment of God and of all good people ;" called on the faithful members to protest against the past conduct of their colleagues, and to place themselves under the protection of the army ; and asserted that since God had given to the officers the power, he had also made it their duty to provide for the settlement of the kingdom, and the punishment of the guilty. In the pursuit of these objects, Fairfax marched several regiments to London, and quartered them at Dec. Whitehall, York house, the Mews, and in the skirts of 2. the city †.

The reader will recollect the pusillanimous conduct of the presbyterian members on the approach of the army in the year 1646. On the present occasion they resolved to redeem their character. They betrayed no symptom of fear, no disposition to retire, or to submit. Amidst the din of arms and the menaces of the soldiers, they daily attended their duty in parliament, declared that the seizure of the royal person had been made without their knowledge or consent, and proceeded to consider the tendency of the concessions made by Charles in the

* Rushworth, vii. 1344—1348. 1351. Herbert, 113. 124.

† Ibid. vii. 1341. 1350. Whitelock, 358.

- treaty of Newport. This produced the longest and most animated debate hitherto known in the history of parliament. Vane drew a most unfavourable portrait of the king, and represented all his promises and professions as hollow and insincere; Fiennes became for the first time the royal apologist, and refuted the charges brought by his fellow commissioner; and Prynne, the celebrated adversary of Laud, seemed to forget his antipathy to the court, that he might lash the presumption and perfidy of the army. The debate continued by successive adjournments three days and a whole night; and on the last division in the morning a resolution was
- Dec. carried by a majority of thirty-six, that the offers of the
5. sovereign furnished a sufficient ground for the future settlement of the kingdom*.
6. But the victors were not suffered to enjoy their triumph. The next day Skippon discharged the guards of the two houses, and their place was supplied by a regiment of horse and another of foot from the army. Colonel Pride, while Fairfax, the commander-in-chief, was purposely employed in a conference with some of the members, stationed himself in the lobby: in his hand he held a list of names, while the lord Grey stood by his side to point out the persons of the members; and two and fifty presbyterians, the most distinguished of the party by their talents or influence, were taken into custody, and conducted to different places of confinement. Many of those who passed the ordeal on this, met with a similar treatment on the following day; numbers embraced the opportunity to retire into the country; and the house was found, after repeated purifications, to consist of about fifty individuals, who, in the quaint language of the time, were afterwards dignified with the honourable appellation of the "rump†."

* Journals, Dec. 1, 2, 3, 5. Clarendon Papers, ii. App. xlviii. Cobbett Parl. Hist. 1152. In some of the previous divisions the house consisted of 240 members: but several seem to have retired during the night; at the conclusion there were only 212.

† Whitelock, 358, 359. Commons' Journals, Dec. 6, 7. This was called

Whether it were through policy or accident, Cromwell was not present to take any share in these extraordinary proceedings. After his victory at Preston he had marched in pursuit of Monroe, and had besieged the important town of Berwick. But his real views were not confined to England. The defeat of the Scottish royalists had raised the hopes of their opponents in their own country. In the western shires the curse of Meroz had been denounced from the pulpit against all who refused to arm in defence of the covenant; the fanatical peasants marshaled themselves under their respective ministers; and Loudon and Eglington, assuming the command, led them to Edinburgh*. This tumultuary mass, though joined by Argyle and his highlanders, and by Cassilis with the people of Carrick and Galloway, was no match for the disciplined army under Lanark and Monroe: but Cromwell offered to advance Sept. to their support, and the two parties hastened to recon- 26. cile their differences by a treaty, which secured to the royalists their lives and property, on condition that they 30. should disband their forces. Argyle with his associates assumed the name and the office of the committee of the estates; Berwick and Carlisle were delivered to the Oct. English general; and he himself with his army was 4. invited to the capital. Amidst the public rejoicing, private conferences, of which the subject never transpired, were repeatedly held; and Cromwell returning 11. to England, left Lambert with two regiments of horse, to support the government of his friends till they could raise a sufficient force among their own party†. His

Pride's purge. Forty-seven members were imprisoned, and ninety-six excluded. *Parl. Hist.* iii. 1248.

* This was called the inroad of the Whiggamores; a name given to these peasants either from whiggam, a word employed by them in driving their horses, or from whig (*Anglicé whey*), a beverage of sour milk, which formed one of the principal articles of their meals. *Burnet's History of his own Times*, i. 43. It soon came to designate an enemy of the king, and in the next reign was transferred, under the abbreviated form of whig to the opponents of the court.

† *Memoirs of the Hamiltons*, 367—377. *Guthrie*, 283—299. *Rushworth*, vii. 1273. 1282. 86. 1296. 1325.

Dec. progress through the northern counties was slow; nor
 7. did he reach the capital till the day after the exclusion of the presbyterian members. His late victory had rendered him the idol of the soldiers: he was conducted with acclamations of joy to the royal apartments in Whitehall, and received the next day the thanks of the house of commons for his distinguished services to the two kingdoms. Of his sentiments with respect to the late proceedings no doubt was entertained. If he had not suggested, he had at least been careful to applaud the conduct of the officers, and in a letter to Fairfax he blasphemously attributed it to the inspiration of the Almighty*.

The government of the kingdom had now devolved in reality on the army. There were two military councils, the one select, consisting of the grandees, or principal commanders, the other general, to which the inferior officers, most of them men of levelling principles, were admitted. A suspicion existed that the former aimed at the establishment of an oligarchy: whence their advice was frequently received with jealousy and distrust, and their resolutions were sometimes negatived by the greater number of their inferiors. When any measure had received the approbation of the general council, it was carried to the house of commons, who were expected to impart to it the sanction of their
 12. authority. With ready obedience they renewed the vote of non-addresses, resolved that the re-admission of the eleven expelled members was dangerous in its consequences, and contrary to the usages of the house, and declared that the treaty in the isle of Wight, and the
 13. approbation given to the royal concessions, were dishonourable to parliament, destructive of the common good, and a breach of the public faith†. But these were only preparatory measures: they were soon called

* Journals, Dec. 8. Whitelock, 362. Rushworth, vii. 1339.

† Journals, Dec. 3, 13, 14, 20. Whitelock, 362, 363. Clarendon Papers, ii. App. xlix.

upon to pass a vote, the very mention of which a few years before would have struck the boldest among them with astonishment and terror.

It had long been the conviction of the officers that the life of the king was incompatible with their safety. If he were restored, they would become the objects of royal vengeance; if he were detained in prison, the public tranquillity would be disturbed by a succession of plots in his favour. In private assassination there was something base and cowardly from which the majority revolted; but to bring him to public justice, was to act openly and boldly; it was to proclaim their confidence in the goodness of their cause; to give to the world a splendid proof of the sovereignty of the people, and of the responsibility of kings *. When the motion was made in the commons, a few ventured to oppose it, not so much with the hope of saving the life of Charles, as for the purpose of transferring the odium of his death on its real authors. They suggested that the person of the king was sacred; that history afforded no precedent of a sovereign compelled to plead before a court of judicature composed of his own subjects; that measures of vengeance could only serve to widen the bleeding wounds of the country; that it was idle to fear any re-action in favour of the monarch, and time to settle on a permanent basis the liberties of the country. But their opponents were clamorous, obstinate, and menacing. The king, they maintained, was the capital delinquent: justice required that he should suffer as well as the minor offenders. He had been guilty of treason against the people, it remained for *their* representatives to bring him to punishment; he had shed the blood of man; God made it a duty to demand his blood in return. The opposition was silenced; and a committee of thirty-eight members was appointed to receive information and to devise the most eligible manner of proceeding. Among

Dec.
23.

* Clarendon, Hist. iii. 249.

the more influential names were those of Widdrington and Whitelock, Scot and Marten. But the first two declined to attend; and, when the clerk brought them a summons, retired into the country*.

1649. At the recommendation of this committee, the house
Jan. passed a vote declaratory of the law, that it was high

1. treason in the king of England, for the time being, to levy war against the parliament and kingdom of England; and this was followed up with an ordinance erecting a high court of justice to try the question of fact, whether Charles Stuart, king of England, had or had not been guilty of the treason described in the preceding vote. But the subserviency of the commons was not imitated by the lords. They saw the approaching ruin of their own order in the fall of the sovereign; and when the vote and ordinance were transmitted to their
2. house, they rejected both without a dissentient voice, and then adjourned for a week. This unexpected effort
4. surprised, but did not disconcert, the independents. They prevailed on the commons to vote that the people are the origin of all just power, and from this theoretical truth proceeded to deduce two practical falsehoods. As if no portion of that power had been delegated to the king and the lords, they determined that "the commons of England assembled in parliament, being chosen by an representing the people, have the supreme authority;" and thence inferred that "whatsoever is enacted and declared for law by the commons in parliament hath force of law, and concludes all the people of the nation, although the consent and concurrence of the king and the house of peers be not had thereunto." But even in that hypothesis, how could the house, constituted as it then was, claim to be the representative of the people? It was, in fact, the representative of the army only, and not a free but an enslaved representative, bound to speak with the voice,

* Journals, Dec. 23. Whitelock, 363.

and to enregister the decrees of its masters *. Two days Jan later an act for the trial of the king was passed by the 6. authority of the commons only.

In the mean while Cromwell continued to act his accustomed part. Whenever he rose in the house it was to recommend moderation, to express the doubts which agitated his mind, to protest that, if he assented to harsh and ungracious measures, he did it with reluctance, and solely in obedience to the will of the Almighty. Of his conduct during the debate on the king's trial, we have no account; but when it was suggested to dissolve the upper house, and transfer its members to that of the commons, he characterised the proposal as originating in revolutionary phrenzy; and, on the introduction of a bill to alter the form of the great seal, adopted a language which strongly marks the hypocrisy of the man, though it was calculated to make impression on the fanatical minds of his hearers. "Sir," said he, addressing the speaker, "if any man whatsoever have carried 9. "on this design of deposing the king, and disinheriting "his posterity, or if any man have still such a design, "he must be the greatest traitor and rebel in the world; "but since the providence of God has cast this upon us, "I cannot but submit to providence, though I am not "yet prepared to give you my advice †."

* Journals, x. 641. Commons, Jan. 1, 2, 4, 6. Hitherto the lords had seldom exceeded seven in number; but on this occasion they amounted to fourteen. Leicester's Journal, 47.

† For Cromwell's conduct see the letters in the Appendix to the second volume of the Clarendon Papers, l. li. The authenticity of this speech has been questioned, as resting solely on the treacherous credit of Perrin-chiefe; but it occurs in a letter written on the 11th of January, which describes the proceedings of the 9th, and therefore cannot, I think, be questioned. By turning to the journals it will be found, that on that day the house had divided on a question whether any more messages should be received from the lords, which was carried in opposition to Ludlow and Marten. "Then," says the letter, "they fell on the business of the king's "trial." On this head nothing is mentioned in the journals; but a motion which would cause frequent allusions to it, was made and carried. It was for a new great seal, on which should be engraven the house of commons with this inscription: "In the first year of freedom, by God's blessing "restored, 1648." Such a motion would naturally introduce Cromwell's speech respecting the deposition of the king, and the disherison of his posterity.

The lord general, on the contrary, began to assume a more open and a bolder tone. Hitherto, instead of leading, he had been led. That he disapproved of much that had been done, we may readily believe; but he only records his own weakness, where he alleges in excuse of his conduct that his name had been subscribed to the resolves of the council, whether he consented or not. He had lately shed the blood of two gallant officers at Colechester, but no solicitations could induce him to concur in shedding the blood of the king. His name stood at the head of the commissioners: he attended at the first meeting, in which no business was transacted, but he constantly refused to be present at their subsequent sittings, or to subscribe his name to their resolutions. This conduct surprised and mortified the independents: it probably arose from the influence of his wife, whose desperate loyalty will soon challenge the attention of the reader*.

Jan. 8. Before this the king, in anticipation of his subsequent trial, had been removed to the palace of St. James's. In 1648. the third week of his confinement in Hurst castle, he Dec. 18. was suddenly roused out of his sleep at midnight by the fall of the drawbridge and the trampling of horses. A thousand frightful ideas rushed on his mind, and at an early hour in the morning, he desired his servant Herbert to ascertain the cause; but every mouth was closed, and Herbert returned with the scanty information that a colonel Harrison had arrived. At the name the king turned pale, hastened into the closet, and sought to relieve his terrors by private devotion. In a letter which he had received at Newport, Harrison had been pointed out to him as a man engaged to take his life. His alarm, however, was unfounded. Harrison was a fanatic, but no murderer: he sought, indeed, the blood of the king, but it was his wish that it should be shed by the axe of the executioner, not by the dagger of the assassin. He had been appointed to superintend the removal of the royal captive, and had

* Nalson, Trial of Charles I. Clarendon Papers, ii. App. n.

come to arrange matters with the governor, of whose fidelity some suspicion existed. Keeping himself private during the day, he departed in the night; and two days later Charles was conducted with a numerous escort to the royal palace of Windsor *. Dec. 23.

Hitherto, notwithstanding his confinement, the king had always been served with the usual state; but at Windsor his meat was brought to table uncovered, and by the hands of the soldiers; no say was given; no cup presented on the knee. This absence of ceremony made on the unfortunate monarch a deeper impression than could have been expected. It was, he said, the denial of that to him, which by ancient custom was due to many of his subjects; and rather than submit to the humiliation, he chose to diminish the number of the dishes, and to take his meals in private. Of the proceedings against him he received no official intelligence; but he gleaned the chief particulars through the inquiries of Herbert, and in casual conversation with Witchcott the governor. The information was sufficient to appal the stoutest heart; but Charles was of a most sanguine temperament, and though he sought to fortify his mind against the worst, he still cherished a hope that these menacing preparations were only intended to extort from him the resignation of his crown. He relied on the interposition of the Scots, the intercession of foreign powers, and the attachment of many of his English subjects. He persuaded himself that his very enemies would blush to shed the blood of their sovereign; and that their revenge would be appeased, and their ambition sufficiently gratified, by the substitution in his place of one of his younger children on the throne †. 27.

But these were the dreams of a man who sought to

* Herbert, 131—136. Rushworth, vii. 1375.

† Herbert, 155. 157. Whitelock, 365. Sir John Temple attributed his tranquillity "to a strange conceit of Ormond's working for him in Ireland. "He still hangs upon that twigg; and by the enquireys he made after his "and Inchiquin's conjunction, I see he will not be beaten off it." In Leicester's Journal, 48.

allay his fears by voluntary delusions. The princes of Europe looked with cold indifference on his fate. The king of Spain during the whole contest had maintained a friendly correspondence with the parliament. Frederic III. king of Denmark, though he was his cousin-german, made no effort to save his life ; and Henrietta could obtain for him no interposition from France, where the infant king had been driven from his capital by civil dissension, and she herself depended for subsistence on the charity of the Cardinal de Retz, the leader of the Fronde*. The Scottish parliament, indeed, made a feeble effort in his favour. The commissioners subscribed a protest against the proceedings of the commons, by whom it was never answered ; and argued the case with Cromwell, who referred them to the covenant, and maintained, that if it was their duty to punish the malignants in general, it was still more so to punish him who was the chief of the malignants†.

As the day of trial approached, Charles resigned the hopes which he had hitherto indulged ; and his removal to Whitehall admonished him to prepare for that important scene on which he was soon to appear. Without
 Jan. 19. information or advice, he could only resolve to maintain the port and dignity of a king, to refuse the authority of his judges, and to commit no act unworthy of his exalted rank and that of his ancestors. On the 20th of January
 20. the commissioners appointed by the act assembled in the painted chamber, and proceeded in state to the upper end of Westminster hall. A chair of crimson velvet had been placed for the lord president, John Bradshaw, serjeant at law : the others, to the number of sixty-six, ranged themselves on either side, on benches covered with scarlet ; at the feet of the president sat two clerks at a table on which lay the sword and the mace ; and directly opposite stood a chair intended for the king. After the preliminary formalities of reading the commis-

* Memoirs of Retz, i. 261.

† Journals, Jan. 6. 22, 23. Parl. Hist. iii. 1277. Burnet's Own Times, i. 42.

sion, and calling over the members, Bradshaw ordered the prisoner to be introduced *.

Charles was received at the door by the serjeant-at-arms, and conducted by him within the bar. His step was firm, his countenance erect and unmoved. He did not uncover; but first seated himself, then rose, and surveyed the court with an air of superiority, which abashed and irritated his enemies. While the clerk read the charge, he appeared to listen with indifference; but a smile of contempt was seen to quiver on his lips at the passage which described him as a "tyrant, traitor, murderer, and public and implacable enemy to the commonwealth of England." At the conclusion Bradshaw called on him to answer: but he demanded by what lawful authority he had been brought thither. He was king of England; he acknowledged no superior upon earth; and the crown, which he had received from his ancestors, he would transmit unimpaired by any act of his to his posterity. His case moreover was the case of all the people of England: for if force without law could alter the fundamental laws of the kingdom, there was no man who could be secure of his life or liberty for an hour. He was told that the court sat by the authority of the house of commons. But where, he asked, were the lords? Were the commons the whole legislature? Were they free? Were they a court of judicature? Could they confer on others a jurisdiction which they did not possess themselves? He would never acknowledge an usurped authority. It was a duty imposed upon him by the Almighty to disown every lawless power, that in-

* The commissioners according to the act (for bills passed by the commons alone were now denominated acts), were in number 133, chosen out of the lower house, the inns of court, the city, and the army. In one of their first meetings they chose Bradshaw for their president. He was a native of Cheshire, bred to the bar, had long practised in the guildhall, and had lately before been made serjeant. In the first list of commissioners his name did not occur: but on the rejection of the ordinance by the upper house, the names of six lords were erased, and his name with those of five others was substituted. He obtained for the reward of his services the estate of lord Cottington, the chancellorship of the duchy of Lancaster, and the office of president of the council.

vaded either the rights of the crown or the liberties of the subject. Such was the substance of his discourse delivered on three different days, and amidst innumerable interruptions from the president, who would not suffer the jurisdiction of the court to be questioned, and at last ordered the "default and contempt of the prisoner" to be recorded.

Jan. 27. The two following days the court sat in private, to receive evidence that the king had commanded in several engagements, and to deliberate on the form of judgment to be pronounced. On the third Bradshaw took his seat, dressed in scarlet; and Charles immediately demanded to be heard. He did not mean, he said, on this occasion either to acknowledge or deny the authority of the court; his object was to ask a favour, which would spare them the commission of a great crime, and restore the blessing of tranquillity to his people. He asked permission to confer with a joint committee of the lords and commons. The president replied that the proposal was not altogether new, though it was now made for the first time by the king himself; that it pre-supposed the existence of an authority co-ordinate with that of the commons, which could not be admitted; that its object could only be to delay the proceedings of the court, now that judgment was to be pronounced. Here he was interrupted by the earnest expostulation of colonel Downes, one of the members. The king was immediately removed; the commissioners adjourned into a neighbouring apartment, and almost an hour was spent in private and animated debate. Had the conference been granted, Charles would have proposed (so at least it was understood) to resign the crown in favour of the prince of Wales

When the court resumed, Bradshaw announced to him the refusal of his request, and proceeded to animadvert in harsh and unfeeling language on the principal events of his reign. The meek spirit of the prisoner was roused; he made an attempt to speak, but was

immediatly silenced with the remark, that the time for his defence was past; that he had spurned the numerous opportunities offered to him by the indulgence of the court; and that nothing remained for his judges but to pronounce sentence; for they had learned from holy writ that "to acquit the guilty was of equal abomination as "to condemn the innocent." The charge was again read, and was followed by the judgment, "that the court "being satisfied in conscience that he, the said Charles "Stuart, was guilty of the crimes of which he had been "accused, did adjudge him as a tyrant, traitor, murderer, "and public enemy to the good people of the nation, to "be put to death by severing his head from his body." The king heard it in silence, sometimes smiling with contempt, sometimes raising his eyes to heaven, as if he appealed from the malice of men to the justice of the Almighty. At the conclusion the commissioners rose in a body to testify their assent, and Charles made a last and more earnest effort to speak; but Bradshaw ordered him to be removed, and the guards hurried him out of the hall*.

During this trial a strong military force had been kept under arms to suppress any demonstration of popular feeling in favour of the king. On the first day, when the name of Fairfax, as one of the commissioners, was called, a female voice cried from the gallery, "he "has more wit than to be here." On another occasion, when Bradshaw attributed the charge against the king to the consentient voice of the people of England, the same female voice exclaimed, "no, not one-tenth of the "people." A faint murmur of approbation followed, but was instantly suppressed by the military. The speaker was recognised to be lady Fairfax, the wife of the commander-in-chief; and these affronts, probably on that account, were suffered to pass unnoticed†.

* See the Trial of Charles Stuart, with additions by Nalson, folio, London, 1735.

† Nalson's Trial. Clarendon, iii. 254. State Trials, 366, 367, 368, fol. 1730.

When Coke, the solicitor-general, opened the pleadings, the king gently tapped him on the shoulder with his cane, crying, "hold, hold." At the same moment the silver head of the cane fell off, and rolled on the floor. It was an accident which might have happened at any time; but in this superstitious age it could not fail to be taken for an omen. Both his friends and enemies interpreted it as a presage of his approaching decapitation*.

On one day, as the king entered the court, he heard behind him the cry of "justice, justice;" on another, as he passed between two lines of soldiers, the word "execution" was repeatedly sounded in his ears. He bore these affronts with patience, and on his return said to Herbert, "I am well assured that the soldiers bear me no malice. The cry was suggested by their officers, for whom they would do the like, if there were occasion †."

On his return from the hall, men and women crowded behind the guards, and called aloud, "God preserve your majesty." But one of the soldiers venturing to say, "God bless you, Sir," received a stroke on the head from an officer with his cane. "Truly," observed the king, "I think the punishment exceeded the offence ‡."

By his conduct during these proceedings Charles had exalted his character even in the estimation of his enemies: he had now to prepare himself for a still more trying scene, to nerve his mind against the terrors of a public and ignominious death. But he was no longer the man he had been before the civil war. Affliction had chastened his mind; he had learned from experience to submit to the visitations of Providence; and he sought and found strength and relief in the consolations of religion. The next day, the Sunday, was spent

Jan.
28.

* Nalson. Herbert, 165. "He seemed unconcerned; yet told the bishop, it really made a great impression on him; and to this hour, says he, I know not possibly how it should come." Warwick, 340.

† Herbert, 163, 164.

‡ Herbert, 163, 165.

by him at St. James's, by the commissioners at Whitehall. *They* observed a fast, preached on the judgments of God, and prayed for a blessing on the commonwealth. *He* devoted his time to devotional exercises in the company of Herbert and of Dr. Juxon, bishop of London, who at the request of Hugh Peters, (and it should be recorded to the honour of that fanatical preacher) had been permitted to attend the monarch. His nephew the prince elector, the duke of Richmond, the marquess of Hertford, and several other noblemen, came to the door of his bed-chamber, to pay their last respects to their sovereign: but they were told in his name that he thanked them for their attachment, and desired their prayers; that the shortness of his time admonished him to think of another world; and that the only moments which he could spare must be given to his children. These were two, the princess Elizabeth and the duke of Gloucester; the former wept for her father's fate; the latter, too young to understand the cause, joined his tears through sympathy. Charles placed them on his knees, gave them such advice as was adapted to their years, and seemed to derive pleasure from the pertinency of their answers. In conclusion he divided a few jewels between them, kissed them, gave them his blessing, and hastily retired to his devotions*.

On the last night of his life he slept soundly about four hours, and early in the morning awakened Herbert, Jan. who lay on a pallet by his bed-side. "This," he said, 30
 "is my second marriage day. I would be as trim as
 "may be; for before night I hope to be espoused to my
 "blessed Jesus." He then pointed out the clothes
 which he meant to wear, and ordered two shirts on account of the severity of the weather. "For," he observed, "were I to shake through cold, my enemies
 "would attribute it to fear. I would have no such im-

* Herbert, 169—180. State Trials, 357—360.

"putation. I fear not death. Death is not terrible to me. I bless my God I am prepared*."

The king spent an hour in privacy with the bishop; Herbert was afterwards admitted; and about ten o'clock colonel Hacker announced that it was time to proceed to Whitehall. He obeyed, was conducted on foot, between two detachments of military, across the park, and received permission to repose himself in his former bed-chamber. Dinner had been prepared for him: but he refused to eat, though afterwards at the solicitation of the bishop, he took the half of a manchet and a glass of wine. Here he remained almost two hours in constant expectation of the last summons, spending his time partly in prayer, and partly in discourse with Dr. Juxon. There might have been nothing mysterious in the delay: if there was, it may perhaps be explained from the following circumstance.

Four days had now elapsed since the arrival of ambassadors from the Hague to intercede in his favour. It was only on the preceding evening that they had obtained audiences of the two houses, and hitherto no answer had been returned. In their company came Seymour, the bearer of two letters from the prince of Wales, one addressed to the king, the other to the lord Fairfax. He had already delivered the letter, and with it a sheet of blank paper subscribed with the name and sealed with the arms of the prince. It was the price which he offered to the grandees of the army for the life of his father. Let them fill it up with the conditions:

* Herbert, 183—185. I may here insert an anecdote, which seems to prove that Charles attributed his misfortunes in a great measure to the counsels of archbishop Laud. On the last night of his life, he had observed that Herbert was restless during his sleep, and in the morning insisted on knowing the cause. Herbert answered that he was dreaming. He saw Laud enter the room; the king took him aside, and spoke to him with a pensive countenance; the archbishop sighed, retired, and fell prostrate on the ground. Charles replied, "it is very remarkable: but he is dead. Yet had we conferred together during life, 'tis very likely (albeit I loved him well) I should have said something to him, might have occasioned his sigh." Herbert's letter to Dr. Samways, published at the end of his Memoirs, p. 220.

whatever they might be, they were already granted : his seal and signature were affixed*. It is not improbable that this offer may have induced the leaders to pause. That Fairfax laboured to postpone the execution, was always asserted by his friends ; and we have evidence to prove that, though he was at Whitehall, he knew not, or at least pretended not to know, what was passing †.

In the mean while Charles enjoyed the consolation of learning that his son had not forgotten him in his distress. By the indulgence of colonel Tomlinson, Seymour was admitted, delivered the letter, and received the royal instructions for the prince. He was hardly gone, when Hacker arrived with the fatal summons. About two o'clock the king proceeded through the long gallery, lined on each side with soldiers, who, far from insulting the fallen monarch, appeared by their sorrowful looks to sympathise with his fate. At the end an aperture had been made in the wall, through which he stepped at once upon the scaffold. It was hung with black : at the further end were seen the two executioners, the block, and the axe ; below appeared in arms several regiments of horse and foot ; and beyond, as far as the eye was permitted to reach, waved a dense and countless crowd of spectators. The king stood collected and undismayed amidst the apparatus of death. There was in his countenance that cheerful intrepidity, in his demeanour that dignified calmness, which had cha-

* For the arrival of the ambassadors see the journals of the house of commons on the 26th. A fac-simile of the *carte blanche*, with the signature of the prince, graces the title-page of the third volume of the *Original Letters*, published by Mr. Ellis.

† " Mean time they went into the long gallery, where chancing to meet " the general, he ask'd Mr. Herbert how the king did? Which he thought " strange His question being answer'd, the general seem'd much " surprized." Herbert, 194. It is difficult to believe that Herbert could have mistaken or fabricated such a question, or that Fairfax would have asked it, had he known what had taken place. To his assertion that Fairfax was with the officers in Harrison's room, employed in " prayer or discourse," it has been objected that his name does not occur among the names of those who were proved to have been there at the trial of the regicides. But that is no contradiction. The witnesses speak of what happened before, Herbert of what happened during, the execution. See also Ellis, 2nd ser. iii. 345.

racterised, in the hall of Fotheringay, his royal grandmother, Mary Stuart. It was his wish to address the people : but they were kept beyond the reach of his voice by the swords of the military ; and therefore confining his discourse to the few persons standing with him on the scaffold, he took, he said, the opportunity of denying in the presence of his God the crimes of which he had been accused. It was not to him, but to the houses of parliament, that the war and all its evils should be charged. The parliament had first invaded the rights of the crown by claiming the command of the army ; and had provoked hostilities by issuing commissions for the levy of forces, before he had raised a single man. But he had forgiven all, even those whoever they were (for he did not desire to know their names) who had brought him to his death. He did more than forgive them, he prayed that they might repent. But for that purpose they must do three things ; they must render to God his due, by settling the church according to the Scripture ; they must restore to the crown those rights which belonged to it by law ; and they must teach the people the distinction between the sovereign and the subject ; those persons could not be governors who were to be governed, *they* could not rule, whose duty it was to obey. Then, in allusion to the offers formerly made to him by the army, he concluded with these words : “ Sirs, it was for “ the liberties of the people that I am come here. If I “ would have assented to an arbitrary sway, to have all “ things changed according to the power of the sword, “ I needed not to have come hither ; and therefore, I “ tell you, (and I pray God it be not laid to your “ charge,) that I am the martyr of the people.”

Having added at the suggestion of Dr. Juxon, “ I die “ a christian according to the profession of the church of “ England, as I found it left me by my father,” he said, addressing himself to the prelate, “ I have on my side a “ good cause, and a gracious God.”

BISHOP.—There is but one stage more : it is turbulent

and troublesome, but a short one. It will carry you from earth to heaven, and there you will find joy and comfort.

KING.—I go from a corruptible to an incorruptible crown.

BISHOP.—You exchange an earthly for an eternal crown—a good exchange.

Being ready, he bent his neck on the block, and after a short pause, stretched out his hands as a signal. At that instant the axe descended; the head rolled from the body; and a deep groan burst from the multitude of the spectators. But they had no leisure to testify their feelings; two troops of horse dispersed them in different directions*.

Such was the end of the unfortunate Charles Stuart; an awful lesson to the possessors of royalty, to watch the growth of public opinion, and to moderate their pretensions in conformity with the reasonable desires of their

* Herbert, 189—194. Warwick, 344. Nalson, Trial of Charles Stuart. The royal corpse, having been embalmed, was after some days delivered to the earl of Richmond for private interment at Windsor. That nobleman, accompanied by the marquess of Hertford, the earls of Southampton and Lindsey, Dr. Juxon, and a few of the king's attendants, deposited it in a vault in the choir of St. George's chapel, which already contained the remains of Henry VIII. and of his third queen, Jane Seymour. (Herbert, 203. Blencowe, Sydney Papers, 64.) Notwithstanding such authority, the assertion of Clarendon that the place could not be discovered threw some doubt upon the subject. But in 1813, it chanced that the workmen made an aperture in a vault corresponding in situation, and occupied by three coffins; and the prince regent ordered an investigation to ascertain the truth. One of the coffins, in conformity with the account of Herbert, was of lead, with a leaden scroll in which were cut the words "King Charles." In the upper lid of this an opening was made; and when the cerecloth and unctuous matter were removed, the features of the face, as far as they could be distinguished, bore a strong resemblance to the portraits of Charles I. To complete the proof, the head was found to have been separated from the trunk by some sharp instrument, which had cut through the fourth vertebra of the neck. See "An account of what appeared on opening the coffin of king Charles I. by sir Henry Hallford, bart."—1813. It was observed at the same time, that "the lead coffin of Henry VIII. had been beaten in about the middle, and a considerable opening in that part exposed a mere skeleton of the king." This may, perhaps, be accounted for from a passage in Herbert, who tells us that while the workmen were employed about the inscription, the chapel was cleared, but a soldier contrived to conceal himself, descended into the vault, cut off some of the velvet pall, and "wimble a hole into the largest coffin." He was caught, and "a bone was found about him, which, he said, he would haft a knife with." Herbert, 204. See note (E).

subjects. Had he lived at a more early period, when the sense of wrong was quickly subdued by the habit of submission, his reign would probably have been marked with fewer violations of the national liberties. It was resistance that made him a tyrant. The spirit of the people refused to yield to the encroachments of authority; and one act of oppression placed him under the necessity of committing another, till he had revived and enforced all those odious prerogatives, which, though usually claimed, were but sparingly exercised, by his predecessors. For some years his efforts seemed successful: but the Scottish insurrection revealed the delusion; he had parted with the real authority of a king, when he forfeited the confidence and affection of his subjects.

But while we blame the illegal measures of Charles, we ought not to screen from censure the subsequent conduct of his principal opponents. From the moment that war seemed inevitable, they acted as if they thought themselves absolved from all obligations of honour and honesty. They never ceased to inflame the passions of the people by misrepresentation and calumny; they exercised a power far more arbitrary and formidable than had ever been claimed by the king; they punished summarily, on mere suspicion, and without attention to the forms of law; and by their committees they established in every county a knot of petty tyrants, who disposed at will of the liberty and property of the inhabitants. Such anomalies may perhaps be inseparable from the jealousies, the resentments, and the heart-burnings, which are engendered in civil commotions; but certain it is that right and justice had seldom been more wantonly outraged, than they were by those who professed to have drawn the sword in the defence of right and justice.

Neither should the death of Charles be attributed to the vengeance of the people. They, for the most part, declared themselves satisfied with their victory; they

sought not the blood of the captive monarch; they were even willing to replace him on the throne, under those limitations which they deemed necessary for the preservation of their rights. The men who hurried him to the scaffold were a small faction of bold and ambitious spirits, who had the address to guide the passions and fanaticism of their followers, and were enabled through them to control the real sentiments of the nation. Even of the commissioners appointed to sit in judgment on the king, scarcely one-half could be induced to attend at his trial; and many of those who concurred in his condemnation subscribed the sentence with feelings of shame and remorse. But so it always happens in revolutions: the most violent put themselves forward; their vigilance and activity seem to multiply their number; and the daring of the few wins the ascendancy over the indolence or the pusillanimity of the many.

CHAPTER V.

THE COMMONWEALTH.

Establishment of the Commonwealth—Punishment of the Royalists—Mutiny and Suppression of the Levellers—Charles II. Proclaimed in Scotland—Ascendency of his Adherents in Ireland—Their Defeat at Rathmines—Success of Cromwell in Ireland—Landing of Charles in Scotland—Cromwell is sent against him—He gains a victory at Dunbar—The King marches into England—Loses the Battle of Worcester—His subsequent Adventures and Escape.

WHEN the two houses first placed themselves in opposition to the sovereign, their demands were limited to the redress of existing grievances; now that the struggle was over, the triumphant party refused to be content with anything less than the abolition of the old, and the establishment of a new and more popular form of government. Some, indeed, still ventured to raise their voices in favour of monarchy, on the plea that it was an institution the most congenial to the habits and feelings of Englishmen. By these it was proposed that the two elder sons of Charles should be passed by, because their notions were already formed, and their resentments already kindled; that the young Duke of Gloucester, or his sister Elizabeth, should be placed on the throne; and that, under the infant sovereign, the royal prerogative should be circumscribed by law, so as to secure from future encroachment the just liberties of the people. But the majority warmly contended for the establishment of a commonwealth. Why, they asked, should they spontaneously set up again the idol which it had cost them so much blood and treasure to pull down?

Laws would prove but feeble restraints on the passions of a proud and powerful monarch. If they sought an insuperable barrier to the restoration of despotism, it could be found only in some of those institutions which lodge the supreme power with the representatives of the people. That they spoke their real sentiments is not improbable; though we are assured by one who was present at their meetings, that personal interest had no small influence in their final determination. They had sinned too deeply against royalty to trust themselves to the mercy, or the moderation, of a king. A republic was their choice, because it promised to shelter them from the vengeance of their enemies, and offered the additional advantage of sharing among themselves all the power, the patronage, and the emoluments of office*.

In accordance with this decision, - the moment the head 1649.
of the royal victim fell on the scaffold at Whitehall, a ^{Jan.} proclamation was read in Cheapside, declaring it treason 30.
to give to any person the title of king without the authority of parliament; and at the same time was published the vote of the 4th of January, that the supreme authority in the nation resided in the representatives of the people. The peers, though aware of their approaching fate, continued to sit; but, after a pause of a few days, Feb.
the commons resolved: first, that the house of lords, and, 6.
next, that the office of king, ought to be abolished. 7.
These votes, though the acts to be engrafted on them were postponed, proved sufficient; from that hour the kingship (the word by which the royal dignity was now designated), with the legislative and judicial authority of the peers, was considered extinct, and the lower house, under the name of the parliament of England, concentrated within itself all the powers of government†.

The next measure was the appointment, by the commons, of a council of state, to consist of forty-one members,

* Whitelock, 391.

† Journals, 1649, Jan. 30; Feb. 6, 7. Cromwell voted in favour of the house of lords. (Ludlow, i. 246.) Could he be sincere? I think not.

- Feb. with powers limited in duration to twelve months. They
13. were charged with the preservation of domestic tranquillity, the care and disposal of the military and naval force, the superintendence of internal and external trade, and the negotiation of treaties with foreign powers.
 14. Of the persons selected for this office, three-fourths possessed seats in the house; and they reckoned among them the heads of the law, the chief officers in the army, and five peers, the earls of Denbigh, Mulgrave, Pembroke, and Salisbury, with the lord Grey of Werke, who condescended to accept the appointment, either through attachment to the cause, or as a compensation for the loss of their hereditary rights*. But at the very outset a schism appeared among the new counsellors. The oath required of them by the parliament contained an approval of the king's trial, of the vote against the Scots and their English associates, and of the abolition of monarchy and of the house of lords. By Cromwell and eighteen others, it was taken cheerfully, and without comment: by the remaining twenty-two, with Fairfax at their head, it was firmly but respectfully refused. The peers alleged that it stood not with their honour to approve upon oath of that which had been done in opposition to their vote; the commoners, that it was not for them to pronounce an opinion on judicial proceedings of which they had no official information. But their doubts respecting transactions that were past formed no objection to the authority of the existing government. The house of commons was in actual possession of the supreme power. From that house they derived protection, to it they owed obedience, and with it they were ready to live and die. Cromwell and his friends had the wisdom to yield: the retrospective
 22. clauses were expunged, and in their place was substituted

* The earl of Pembroke had the meanness to solicit and accept the place of representative for Berkshire; and his example was imitated by two other peers, the earl of Salisbury and lord Howard of Eserick, who sat for Lynn and Carlisle. Journals, Ap. 16; May 5; Sep. 18. Leicester's Journal, 72.

a general promise of adhesion to the parliament, both with respect to the existing form of public liberty, and the future government of the nation, "by way of a re-
"public without king or house of peers*."

This important revolution drew with it several other alterations. A representation of the house of commons superseded the royal effigy, on the great seal, which was intrusted to three lords-commissioners, Lysle, Keble, and Whitelocke; the writs no longer ran in the name of the king, but of "the keepers of the liberty of England
"by authority of parliament;" new commissions were issued to the judges, sheriffs, and magistrates; and in lieu of the oaths of allegiance and supremacy was required an engagement to be true to the commonwealth of England. Of the judges, six resigned: the other six consented to retain their situations, if parliament would issue a proclamation declaratory of its intention to maintain the fundamental laws of the kingdom. The condition was accepted and fulfilled†; the courts proceeded to hear and determine causes after the ancient manner; and the great body of the people scarcely felt the important change which had been made in the government of the country. For several years past the supreme authority had been administered in the name of the king by the two houses at Westminster, with the aid of the committee at Derby-house: now the same authority was equally administered in the name of the people by one house only, and with the advice of a council of state.

The merit or demerit of thus erecting a commonwealth

* Journ. Feb. 7. 13, 14, 15. 19. 22. Whitelock, 378. 382, 3. The amended oath is in Walker, part ii. 130.

† Journals, Feb. 8. Yet neither this declaration nor the frequent remonstrances of the lawyers could prevent the house from usurping the office of the judges, or from inflicting illegal punishments. Thus, for example, on the report of a committee, detailing the discovery of a conspiracy to extort money by a false charge of delinquency, the house, without hearing the accused, or sending them before a court of justice, proceeded to inflict on some the penalties of the pillory, fine and imprisonment, and adjudged Mrs. Samford, as the principal, to be whipt the next day from Newgate to the Old Exchange, and to be kept to hard labour for three months. Journals, 1650, Feb. 2, Aug. 13.

on the ruins of the monarchy chiefly belongs to Cromwell, Ireton, Bradshaw, and Marten, who by their superior influence guided and controlled the opinions and passions of their associates in the senate and the army. After the king's death they derived much valuable aid from the talents of Vane*, Whitelocke, and St. John; and a feeble lustre was shed on their cause by the accession of the five peers from the abolished house of lords. But, after all, what right could this handful of men have to impose a new constitution on the kingdom? Ought they not, in consistency with their own principles, to have ascertained the sense of the nation by calling a new parliament? The question was raised: but the leaders, aware that their power was based on the sword of the military, shrunk from the experiment: and, to elude the demands of their opponents, appointed a committee to regulate the succession of parliaments, and the election of members; a committee, which repeatedly met and deliberated, but never brought the question to any definitive conclusion. Still, when the new authorities looked around the house, and observed the empty benches, they were admonished of their own insignificance, and of the hollowness of their pretensions. They claimed the sovereign authority, as the representatives of the people; but the majority of those representatives had been excluded by successive acts of military violence; and the house had been reduced from more than five hundred members, to less than one seventh of that number. For the credit and security of the government it was necessary both to supply the deficiency, and, at the same time, to oppose a bar to the introduction of men of opposite principles. With this view, they resolved to

Feb. continue the exclusion of those who had on the 5th of
1. December assented to the vote, that the king's "con-
"cessions were a sufficient ground to proceed to a set-

* Immediately after Pride's purge, Vane, disgusted at the intolerance of his own party, left London, and retired to Raby castle: he was now induced to rejoin them, and resumed his seat on Feb. 26.

“ tlement;” but to open the house to all others who should previously enter on the journals their dissent from that resolution *. By this expedient, and by occasional writs for elections in those places where the influence of the party was irresistible, the number of members gradually rose to one hundred and fifty, though it was seldom that the attendance of one half, or even of one third, could be procured.

During the war the dread of retaliation had taught the two parties to temper with moderation the license of victory. Little blood had been shed except in the field of battle. But now that check was removed. The fanatics, not satisfied with the death of the king, demanded, with the Bible in their hands, additional victims; and the politicians deemed it prudent by the display of punishment to restrain the machinations of their enemies. Among the royalists in custody were the duke of Hamilton (who was also earl of Cambridge in England), the earl of Holland, Goring, earl of Norwich, the lord Capel, and sir John Owen, all engaged in the last attempt for the restoration of Charles to the throne. By a resolution of the house of commons in November, Hamilton had been adjudged to pay a fine of 100,000*l.*, and the other four to remain in perpetual imprisonment; but after the triumph of the independents this vote had Feb. 1. been rescinded, and a high court of justice was now established to try the same persons on a charge of high treason. It was in vain that Hamilton pleaded the order 10. of the Scottish parliament under which he had acted; that Capel demanded to be brought before his peers, or a jury of his countrymen, according to those fundamental laws which the parliament had promised to maintain; that all invoked the national faith in favour of that quarter which they had obtained at the time of their surrender. Bradshaw, the president, delivered the opinions of the court. To Hamilton he replied, that, as an English earl, he was amenable to the justice of the

* Journ. Feb. 1. Walker, part ii. 115. Whitelock, 376

- country; to Capel, that the court had been established by the parliament, the supreme authority to which all must submit; to each, that quarter given on the field of battle ensured protection from the sword of the conqueror, but not from the vengeance of the law. All five
- Mar. 6. were condemned to lose their heads; but the rigour of
7. the judgment was softened by a reference to the mercy of parliament. The next day the wives of Holland and Capel, accompanied by a long train of females in mourning, appeared at the bar, to solicit the pardon of the condemned. Though their petitions were rejected, a respite for two days was granted. This favour awakened new hopes: recourse was had to flattery and entreaty, bribes were offered and accepted; and the following
8. morning new petitions were presented. The fate of Holland occupied a debate of considerable interest. Among the independents he had many personal friends, and the presbyterians exerted all their influence in his favour. But the saints expatiated on his repeated apostacy from the cause; and, after a sharp contest, Cromwell and Ireton obtained the majority of a single voice for his death. The case of Goring was next considered. No man during the war had treated his opponents with more bitter contumely, no one had inflicted on them deeper injuries; and yet, on an equal division, his life was saved by the casting voice of the speaker. The sentences of Hamilton and Capel were affirmed by the unanimous vote of the house; but, to the surprise of all men, Owen, a stranger, without friends or interest, had the good fortune to escape. His forlorn condition moved the pity of colonel Hutchinson; the efforts of Hutchinson were seconded by Ireton; and so powerful was their united influence, that they obtained a majority of five
9. in his favour. Hamilton, Holland, and Capel died on the scaffold, the first martyrs of loyalty after the establishment of the Commonwealth*.

* If the reader compares the detailed narrative of these proceedings by Clarendon, (iii. 265—270) with the official account in the Journals (Mar.

But, though the avowed enemies of the cause crouched before their conquerors, there was much in the internal state of the country to awaken apprehension in the breasts of Cromwell and his friends. There could be no doubt that the ancient royalists longed for the opportunity of avenging the blood of the king; or that the new royalists, the presbyterians, who sought to re-establish the throne on the conditions stipulated by the treaty in the Isle of Wight, bore with impatience the superiority of their rivals. Throughout the kingdom the lower classes loudly complained of the burthen of taxation; in several parts they suffered under the pressure of penury and famine. In Lancashire and Westmoreland numbers perished through want; and it was certified by the magistrates of Cumberland that thirty thousand families in that county "had neither seed nor bread corn, nor the means of procuring either*." But that which chiefly created alarm was the progress made among the military by the "levellers," men of consistent principles, and uncompromising conduct, under the guidance of colonel John Lilburne, an officer distinguished by his talents, his eloquence, and his courage†. Lilburne, with his friends, had long cherished a suspicion that Cromwell, Ireton, and Harrison sought only their private aggrandisement under the mantle of patriotism; and the recent changes had converted this suspicion into conviction. They observed that the same men ruled without control in the general council of officers, in the parliament, and in the council of state. They

7, 8), he will be surprised at the numerous inaccuracies of the historian. See also the State Trials. England's Bloody Tribunal. Whitelock, 386. Burnet's Hamiltons, 385. Leicester's Journal. 70. Ludlow, i. 247: and Hutchinson, 310.

* Whitelock, 398, 399.

† Lilburne in his youth had been a partisan of Bastwick, and had printed one of his tracts in Holland. Before the star-chamber he refused to take the oath *ex officio*, or to answer interrogatories, and in consequence was condemned to stand in the pillory, was whipped from the Fleet-prison to Westminster, receiving five hundred lashes with knotted cords, and was imprisoned with double irons on his hands and legs. Three years later (1641), the House of Commons voted the punishment illegal, bloody, barbarous, and tyrannical. Burton's Diary, iii. 503, note.

contended that every question was first debated and settled in the council of officers, and that, if their determination was afterwards adopted by the house, it was only that it might go forth to the public under the pretended sanction of the representatives of the nation; that the council of state had been vested with powers more absolute and oppressive than had ever been exercised by the late king; and that the high court of justice had been established by the party for the purpose of depriving their victims of those remedies which would be afforded by the ordinary courts of law. In some of their publications they went further. They maintained that the council of state was employed as an experiment on the patience of the nation; that it was intended to pass from the tyranny of a few to the tyranny of one; and that Oliver Cromwell was the man who aspired to that high but dangerous pre-eminence*.

- Jan. 20. A plan of the intended constitution, entitled "the agreement of the people," had been sanctioned by the council of officers, and presented by Fairfax to the house of commons, that it might be transmitted to the several counties, and there receive the approbation of the inhabitants. As a sop to shut the mouth of Cerberus, the sum of three thousand pounds, to be raised from the estates of delinquents in the county of Durham, had been voted to
- Feb. 26. Lilburne: but the moment he returned from the north, he appeared at the bar of the house, and petitioned against "the agreement," objecting in particular to one of the provisions by which the parliament was to sit but six months every two years, and the government of the nation during the other eighteen months was to be entrusted to the council of state. His example was quickly followed; and the table was covered with a succession of petitions from officers and soldiers, and "the well-affected" in different counties, who demanded that a new parliament should be holden every year; that

* See England's New Chains Discovered, and the Hunting of the Foxes, *passim*. The King's Pamphlets, No. 411, xxi.; 414, xii. xvi.

during the intervals the supreme power should be exercised by a committee of the house; that no member of the last should sit in the succeeding parliament; that the self-denying ordinance should be enforced; that no officer should retain his command in the army for more than a certain period; that the high court of justice should be abolished as contrary to law, and the council of state, as likely to become an engine of tyranny; that the proceedings in the courts should be in the English language, the number of lawyers diminished, and their fees reduced; that the excise and customs should be taken away, and the lands of delinquents sold for compensation to the well-affected; that religion should be "reformed according to the mind of God;" that no one should be molested or incapacitated on account of conscience; that tithes should be abolished; and that the income of each minister should be fixed at one hundred pounds per annum, to be raised by a rate on his parishioners*.

Aware of the necessity of crushing the spirit of oppo- Feb.
sition in the military, general orders were issued by 22.
Fairfax, prohibiting private meetings of officers or sol-
diers "to the disturbance of the army;" and on the Mar.
receipt of a letter of remonstrance from several regi- 1.
ments, four of the five troopers by whom it was signed 3.
were condemned by a court-martial to ride the wooden
horse with their faces to the tail, to have their swords
broken over their heads, and to be afterwards cashiered.
Lilburne, on the other hand, laboured to inflame the
general discontent by a succession of pamphlets, en-
titled "England's New Chains Discovered," "The
"Hunting of the Foxes from Newmarket and Triploe-
"heath to Whitehall by five small Beagles" (in allusion
to the five troopers), and the second part of "England's
"New Chains." The last he read to a numerous assem- 25.
bly at Winchester-house; by the parliament it was 27.

* Walker, 133. Whitelock, 383, 393, 396, 398, 399. Carte, Letters, i. 229.

Mar. 29. voted a seditious and traitorous libel, and the author, with his associates, Walwyn, Prince, and Overton, was committed, by order of the council, to close custody in the Tower*.

It had been determined to send to Ireland a division of twelve thousand men; and the regiments to be employed were selected by ballot, apparently in the fairest manner. The men, however, avowed a resolution not to march. It was not, they said, that they refused the service; but they believed the expedition to be a mere artifice to send the discontented out of the kingdom; and they asserted that by their engagement on Triploe-heath they could not conscientiously move a step till the liberties of the nation were settled on a permanent basis. The first act of mutiny occurred in Bishopsgate. A troop of horse refused to obey their colonel; and, instead of marching out of the city, took possession of the colours. Of these, five were condemned to be shot; but one only, by name Lockyer, suffered. At his burial a thousand men, in files, preceded the corpse, which was adorned with bunches of rosemary dipped in blood; on each side rode three trumpeters, and behind was led the trooper's horse, covered with mourning; some thousands of men and women followed with black and green ribbons on their heads and breasts, and were received at the grave by a numerous crowd of the inhabitants of London and Westminster. This extraordinary funeral convinced the leaders how widely the discontent was spread, and urged them to the immediate adoption of the most decisive measures†.

May 7. The regiments of Scrope, Ireton, Harrison, Ingoldsby, Skippon, Reynolds, and Horton, though quartered in different places, had already elected their agents, and published their resolution to adhere to each other, when the house commissioned Fairfax to reduce the muti-

* Whitelock, 385, 386, 392. Council Book in the State-paper Office, Mar. 27. No. 17; Mar. 29, No. 27. Carte, Letters, i. 273. 276.

† Walker, 161. Whitelock, 399.

neers, ordered Skippon to secure the capital from surprise, and declared it treason for soldiers to conspire the death of the general or lieutenant-general, or for any person to endeavour to alter the government, or to affirm that the parliament or council of state was either tyrannical or unlawful*. At Banbury, in Oxfordshire, a captain Thompson, at the head of two hundred men, published a manifesto, entitled "England's Standard Advanced," in which he declared that if Lilburne, or his fellow prisoners were ill-treated, their sufferings should be avenged seventy times seven-fold upon their persecutors. His object was to unite some of the discontented regiments; but colonel Reynolds surprised him at Banbury, and prevailed on his followers to surrender without loss of blood†. Another party, consisting of ten troops of horse, and more than a thousand strong, proceeded from Salisbury to Burford, augmenting their numbers as they advanced. Fairfax and May. Cromwell, after a march of more than forty miles during 14. the day, arrived soon afterwards, and ordered their followers to take refreshment. White had been sent to the insurgents with an offer of pardon on their submission; whether he meant to deceive them or not, is uncertain; he represented the pause on the part of the general as time allowed them to consult and frame their demands; and at the hour of midnight, while they slept in security, Cromwell forced his way into the town, with two thousand men at one entrance, while colonel Reynolds, with a strong body, opposed their exit by the other. Four hundred of the mutineers were made prisoners, and the arms and horses of double that number were taken. One cornet and two corporals suffered death; the others, after a short imprisonment, were restored to their former regiments‡.

This decisive advantage disconcerted all the plans of

* Journals, May 1, 14. Whitelock, 399.

† Walker, ii 163. Whitelock, 401.

‡ King's Pamphlets, No. 421. xxii; 422. i. Whitelock, 402.

the mutineers. Some partial risings in the counties of Hants, Devon, and Somerset were quickly suppressed; and Thompson, who had escaped from Banbury and retired to Wellingborough, being deserted by his followers, refused quarter, and fell fighting singly against a host of enemies*. To express the national gratitude for this signal deliverance, a day of thanksgiving was appointed; the parliament, the council of state, and the council of the army assembled at Christ-church; and, after the religious service of the day, consisting of two long sermons and appropriate prayers, proceeded to Grocers'-hall, where they dined by invitation from the city. The speaker Lenthall, the organ of the supreme authority, like former kings, received the sword of state from the mayor, and delivered it to him again. At table, he was seated at the head, supported on his right hand by the lord-general, and on the left by Bradshaw, the president of the council; thus exhibiting to the guests the representatives of the three bodies, by which the nation was actually governed. At the conclusion of the dinner, the lord mayor presented 1000*l.* in gold to Fairfax in a basin and ewer of the same metal, and 500*l.* with a complete service of plate to Cromwell†.

The suppression of the mutiny afforded leisure to the council to direct its attention to the proceedings in Scotland and Ireland. In the first of these kingdoms, after the departure of Cromwell, the supreme authority had been exercised by Argyle and his party, who were supported, and at the same time controlled, by the paramount influence of the kirk. The forfeiture and excommunication of the "engagers" left to their opponents the undisputed superiority in the parliament and all the great offices of the state. From the part which Argyle had formerly taken in the delivery of the king, his recent connexion with Cromwell, and his hostility to

* Whitelock, 403.

† Leicester's Journal, 74. Whitelock (406) places the guests in a different order.

the engagement, it was generally believed that he had acted in concert with the English independents. But he was wary, and subtle, and flexible. At the approach of danger he could dissemble; and, whenever it suited his views, could change his measures without changing his object. At the beginning of January the fate with which Charles was menaced revived the languid affection of the Scots. A cry of indignation burst from every part of the country: he was their native king—would they suffer him to be arraigned as a criminal before a foreign tribunal? By delivering him to his enemies they had sullied the fair fame of the nation—would they confirm this disgrace by tamely acquiescing in his death? Argyle deemed it prudent to go with the current of national feeling*; he suffered a committee to be appointed in parliament, and the commissioners in London received instructions to protest against the trial and condemnation of the king. But these instructions disclose the timid fluctuating policy of the man by whom they were dictated. It is vain to look in them for those warm and generous sentiments which the case demanded. They are framed with hesitation and caution; they betray a consciousness of weakness, a fear of provoking enmity, and an attention to private interest; and they show that the protestors, if they really sought to save the life of the monarch, were yet more anxious to avoid every act or word which might give offence to his adversaries†.

The commissioners delivered the paper, and the Scottish parliament, instead of an answer, received the news of the king's execution. The next day the chancellor, attended by the members, proceeded to the cross in

* Wariston had proposed (and Argyle had seconded him) to postpone the motion for interference in the king's behalf till the lord had been sought by a solemn fast, but "Argyle, after he saw that it was carried by wottes in his contrarey, changed his first opinione with a faire appologeey, and willed them then presently to enter on the business." Balfour, iii. 386.

† See the instructions in Balfour, iii. 383; and Clarendon, iii. 280.

Feb. Edinburgh, and proclaimed Charles, the son of the
5. deceased prince, king of Scotland, England, France, and Ireland. But to this proclamation was appended a provision, that the young prince, before he could enter on the exercise of the royal authority, should satisfy the parliament of his adhesion both to the national covenant of Scotland, and to the solemn league and covenant between the two kingdoms*.

At length, three weeks after the death of the king,
17. whose life it was intended to save, the English parliament condescended to answer the protestation of the Scots, but in a tone of contemptuous indifference, both as to the justice of their claim, and the consequences of their anger. Scotland, it was replied, might perhaps have no right to bring her sovereign to a public trial, but that circumstance could not affect the right of England. As the English parliament did not intend to trench on the liberties of others, it would not permit others to trench upon its own. The recollection of the evils inflicted on the nation by the misconduct of the king, and the consciousness that they had deserved the anger of God by their neglect to punish his offences, had induced them to bring him to justice, a course which they doubted not God had already approved, and would subsequently reward by the establishment of their liberties. The Scots had now the option of being freemen or slaves: the aid of England was offered for the vindication of their rights; if it were refused, let them beware how they entailed on themselves and their posterity the miseries of continual war with their nearest neighbour, and of slavery under the issue of a tyrant*.

The Scottish commissioners, in reply, hinted that the
24. present was not a full parliament; objected to any alteration in the government by king, lords, and commons; desired that no impediment should be opposed to the lawful succession of Charles II.; and ended by

* Balfour, iii. 387. Clar, iii. 284.

† Journals, Feb. 17. 20. Clar, iii. 282.

protesting that, if such things were done, the Scots were free before God and man from the guilt, the blood, the calamities, which it might cost the two kingdoms. Having delivered this paper, they hastened to Gravesend. Their object was to proceed to the United Provinces, and offer the Scottish crown on certain conditions to the young king. But the English leaders resolved to interrupt their mission. The answer which they had given was voted a scandalous libel, framed for the purpose of exciting sedition; the commissioners were apprehended at Gravesend as national offenders, and captain Dolphin received orders to conduct them under a guard to the frontiers of Scotland*.

This insult, which, though keenly felt, was tamely borne, might retard, it could not prevent, the purposes of the Scottish parliament. The earl of Cassilis, with four new commissioners, was appointed to proceed to Holland, where Charles, under the protection of his brother-in-law, the prince of Orange, had resided since the death of his father†. His court consisted at first of the few individuals whom that monarch had placed around him, and whom he now swore of his privy council. It was soon augmented by the earl of Lanark, who, on the death of his brother, became duke of Hamilton, the earl of Lauderdale, and the earl of Callendar, the chiefs of the Scottish engagers; these were followed by the ancient Scottish royalists, Montrose, Kinnoul, and Seaforth, and in a few days appeared Cassilis, with his colleagues, and three deputies from the church of Scotland, who brought with them news not likely to ensure them a gracious reception, that the parliament, at the petition of the kirk, had sent to the scaffold the old

* Journals, Feb. 26. 28. Whitelock, 394. Balfour, iii. 388, 389. Carte, Letters, i. 233. Dolphin received a secret instruction not to dismiss sir John Chiesley, but to keep him as a hostage, till he knew that Mr. Rowe, the English agent in Edinburgh, was not detained. Council Book, March 2.

† Whatever may have been the policy of Argyle, he most certainly promoted this mission, and "overswayed the opposition to it by his reason, "authority, and diligence." Baillie, ii. 333.

marquess of Huntley, forfaulted for his adhesion to the royal cause in the year 1645. All professed to have in view the same object—the restoration of the young king; but all were divided and alienated from each other by civil and religious bigotry. By the commissioners, the engagers, and by both, Montrose and his friends were shunned as traitors to their country, and sinners excommunicated by the kirk. Charles was perplexed by the conflicting opinions of these several advisers. Both the commissioners and engagers, hostile as they were to each other, represented his taking of the covenant as an essential condition; while Montrose and his English counsellors contended that it would exasperate the independents, offend the friends of episcopacy, and cut off all hope of aid from the catholics, who could not be expected to hazard their lives in support of a prince sworn to extirpate their religion*.

While the question was yet in debate, an event happened to hasten the departure of Charles from the Hague. Dr. Dorislaus, a native of Holland, but formerly a professor of Gresham college, and recently employed to draw the charge against the king, arrived as envoy from the parliament to the States. That very evening, while he sate at supper in the inn, six gentlemen with drawn swords entered the room, dragged him from his chair, and murdered him on the floor†. Though the assassins were suffered to escape, it was soon known that they were Scotsmen, most of them followers of Montrose; and Charles, anticipating the demand of justice from the English parliament, gave his final answer to the commissioners, that he was, and always had been, ready to provide for the security of their reli-

* Clar. iii 287—292. Baillie, ii. 333. Carte, Letters, i. 238—263. In addition to the covenant, the commissioners required the banishment of Montrose, from which they were induced to recede, and the limitation of the king's followers to 100 persons. Carte, Letters, i. 264, 5, 6. 8. 271.

† Clarendon, iii. 293. Whitelock, 401. Journals, May 10. The parliament settled 200*l.* per annum on the son, and gave 500*l.* to each of the daughters of Dorislaus. 1*l.* May 16, 250*l.* was given towards his funeral. Council Book, May 11.

gion, the union between the kingdoms, and the internal peace and prosperity of Scotland; but that their other demands were irreconcilable with his conscience, his liberty, and his honour. They acknowledged that he was their king: it was, therefore, their duty to obey, maintain, and defend him; and the performance of this duty he should expect from the committee of estates, the assembly of the kirk, and the whole nation of Scotland. They departed with this unsatisfactory answer; and Charles, leaving the United Provinces, hastened to St. Germain in France, to visit the queen his mother, with the intention of repairing after a short stay, to the army of the royalists in Ireland*.

That the reader may understand the state of Ireland, 1647. he must look back to the period when the despair or July. patriotism of Ormond surrendered to the parliament the capital of that kingdom. The nuncio, Rinuccini, had then seated himself in the chair of the president of the supreme council at Kilkenny; but his administration was soon marked by disasters, which enabled his rivals to undermine and subvert his authority. The catholic Aug. army of Leinster, under Preston, was defeated on Dun- 8. gan-hill by Jones, the governor of Dublin, and that of Nov. Munster, under the viscount Taafe, at Clontarf, by the 13. lord Inchiquin†. To Rinuccini himself these misfortunes appeared as benefits, for he distrusted Preston and Taafe on account of their attachment to Ormond;

* Balfour, iii. 405; and the Proceedings of the commissioners of the church and kingdome of Scotland with his majestie at the Hague. Edinburgh, printed by Evan Tyler, 1649.

† Rushworth, 823. 916. In the battle of Dungan-hill, at the first charge the commander of the Irish cavalry was slain; his men immediately fled; the infantry repelled several charges, and retired into a bog where they offered to capitulate. Colonel Flower said he had no authority to grant quarter, but at the same time ordered his men to stand to their arms, and preserved the lives of the earl of Westmeath, lieutenant-general Byrne, and several officers and soldiers who repaired to his colours. "In the mean time the Scotch colonel Tichburn and colonel Moor of Bank-hall's regiments without mercy put the rest to the sword." They amounted to between three and four thousand men. Belling's History of the late Warre in Ireland. MS. ii. 95. I mention this instance to show that Cromwell did not introduce the practice of massacre. He followed his predecessors, whose avowed object it was to exterminate the natives.

and their depression served to exalt his friend and protector, Owen Roe O'Neil, the leader of the men of Ulster. But from such beginnings the nation at large anticipated a succession of similar calamities; his adversaries obtained a majority in the general assembly; and the nuncio, after a declaration that he advanced no claim to temporal authority, prudently avoided a forced
 1648. abdication, by offering to resign his office. A new
 Jan. council, consisting, in equal number, of men chosen out
 4. of the two parties, was appointed; and the marquess of Antrim, the lord Muskerry, and Geoffrey Brown, were despatched to the queen mother and her son
 Feb. Charles, to solicit assistance in money and arms, and to
 27. request that the prince would either come and reside in Ireland, or appoint a catholic lieutenant in his place. Antrim hoped to obtain this high office for himself; but his colleagues were instructed to oppose his pretensions, and to acquiesce in the re-appointment of the marquess of Ormond*

During the absence of these envoys, the lord Inchiquin unexpectedly declared, with his army, in favour of the king against the parliament, and instantly proposed an armistice to the confederate catholics, as friends to the royal cause. By some the overture was indignantly rejected. Inchiquin, they said, had been their most bitter enemy; he had made it his delight to shed the blood of Irishmen, and to pollute and destroy their altars. Besides, what pledge could be given for the fidelity of a man who, by repeatedly changing sides, had already shown that he would always accommodate his conscience to his interest? It were better to march against him now that he was without allies; and, when he should be subdued, Jones with the parliamentary army would necessarily fall. To this reasoning it was replied, that the expedition would require time and money; that provision for the free exercise of religion might be made in the articles; and that, at a moment

* Philopater Irenæus, 50—60. Castlehaven, Memoirs, 83.

when the catholics solicited a reconciliation with the king, they could not in honour destroy those who drew the sword in his favour. In defiance of the remonstrances made by Rinuccini and eight of the bishops, the treaty proceeded; and the nuncio believing, or pretending to believe, that he was a prisoner in Kilkenny, escaped in the night over the wall of the city, and was received at Maryborough with open arms by his friend O'Neil. The council agreed to the armistice, and sought by repeated messages to remove the objections of the nuncio. But zeal or resentment urged him to exceed his powers. He condemned the treaty, excommunicated its abettors, and placed under an interdict the towns in which it should be admitted. But his spiritual weapons were of little avail. The council, with fourteen bishops appealed from his censures: the forces under Taafe, Clanricard and Preston, sent back his messengers; and, on the departure of O'Neil, he repaired to the town of Galway, where he was sure of the support of the people, though in opposition to the sense of the mayor and the merchants. As a last effort, he summoned a national synod at Galway: but the council protested against it; Clanricard surrounded the town with his army; and the inhabitants, opening the gates, made their submission*.

War was now openly declared between the two parties. On the one hand Jones, in Dublin, and Monk in Ulster, concluded truces with O'Neil, that he might be in a better condition to oppose the common enemy; on the other, Inchiquin joined with Preston to support the authority of the council against O'Neil. Inroads were reciprocally made; towns were taken and retaken; and large armies were repeatedly brought in face of each other. The council, however, began to assume a bolder tone; they proclaimed O'Neil a rebel and traitor; and,

* See *Desiderata Cnr. Hib.* ii. 511. *Carle*, ii. 20. 31—36. *Belling*, in his MS. history of the late war in Ireland, part iv. 1—40. He has inserted most of the papers which passed between the parties in this work. See also *Philopater Irenæus*, i. 60. 86; ii. 90. 94. *Walsh*, *History and Vindication*, app. 33—40. *Ponce*, 90.

- on the tardy arrival of Ormond with the commission of lord lieutenant, sent to Rinuccini himself an order to quit the kingdom, with the information that they had accused him to the pope of certain high crimes and misdemeanours *. But he continued to issue his mandates in defiance of their orders and threats ; nor was it till after the new pacification between Charles and the confederates had been published, and the execution of the king had fixed the public opinion on the pernicious result of his counsels, that shame and apprehension drove him from Ireland to France, whence, after a few months, he was recalled to Rome.
- Feb. 23. The negotiation between Ormond and the catholics had continued for three months : in January the danger which threatened the royal person induced the latter to recede from their claims, and trust to the future gratitude and honour of their sovereign. They engaged to maintain at their own expense an army of seventeen thousand five hundred men, to be employed against the

* The charge may be seen in *Philopater Iren.* i. 150—160. Clarendon, viii. 68. Oxtord, 1726.—It is evident that the conduct of Rinuccini in breaking the first peace was not only reprehensible in itself, but productive of the most calamitous consequences both to the cause of royalty, and the civil and religious interests of the Irish catholics. The following is the ground on which he attempts to justify himself. Laying it down as an undeniable truth that the Irish people had as good a right to the establishment of their religion in their native country, as the covenanters in Scotland, or the presbyterians in England, he maintains that it was his duty to make this the great object of his proceedings. When the peace was concluded, Charles was a prisoner in the hands of the Scots, who had solemnly sworn to abolish the catholic religion ; and the English royalists had been subdued by the parliament, which by repeated votes and declarations had bound itself to extirpate the Irish race, and parcel out the island among foreign adventurers. Now there was no human probability that Charles would ever be restored to his throne, but on such conditions as the parliament and the Scots should prescribe ; and that, on their demand, he would, after some struggle, sacrifice the Irish catholics, was plain from what had passed in his different negotiations with the parliament, from his disavowal of Glamorgan's commission, and from the obstinacy with which his lieutenant, Ormond, had opposed the claims of the confederates. Hence he inferred that a peace, which left the establishment of religion to the subsequent determination of the king, afforded no security, but, on the contrary, was an abandonment of the cause for which the catholics had associated ; and that it therefore became him, holding the situation which he did, to oppose it by every means in his power. MS. narrative of Rinuccini's proceedings, written to be delivered to the pope ; and Ponce, 271.

common enemy ; and the king, on his part, consented that the free exercise of the catholic worship should be permitted ; that twelve commissioners of trust appointed by the assembly should aid the lord lieutenant in the internal administration ; that the court of wards and several other grievances should be abolished ; that a parliament should be called as soon as the majority of commissioners might deem it expedient, and in that parliament the persecuting laws on the subject of religion, with others injurious to the trade and commerce of Ireland, should be repealed, and the independence of the Irish on the English parliament should be asserted*.

The royal interest was now predominant in Ireland. The fleet under prince Rupert rode triumphant along the coast ; the parliamentary commanders, Jones in Dublin, Monk in Belfast, and Coote in Londonderry, were almost confined within the limits of their respective garrisons ; and Inchiquin in Munster, the Scottish regiments in Ulster, and the great body of the catholics adhering to the supreme council, had proclaimed the king, and acknowledged the authority of his lieutenant. It was during this favourable state of things that Charles received and accepted the invitation of Ormond ; but Mar.
29. his voyage was necessarily delayed through want of money, and his ardour was repeatedly checked by the artful insinuation of some among his counsellors, who secretly feared that, if he were once at the head of a catholic army, he would listen to the demands of the catholics for the establishment of their religion†. On the contrary, to the leaders in London the danger of losing Ireland became a source of the most perplexing solicitude. The office of lord lieutenant was offered to 15. Cromwell. He affected to hesitate ; at his request two officers from each corps received orders to meet him at Whitehall, and seek the Lord in prayer ; and, after a 23.

* Phil. Iren. i. 166. Walsh, app. 43—64. Whitelock, 391. Charles approved, and promised to observe this peace. Carte's Letters, ii. 367.

† Carte, Letters, i. 258. 262.

Mar. 29. delay of two weeks, he condescended to submit his shoulders to the burthen, because he had learned that it was the will of Heaven*. His demands, however, were so numerous, the preparations to be made so extensive, that it was necessary to have recourse in the interval to other expedients for the preservation of the forces and places which still admitted the authority of the parliament. One of these was to allure to the cause of the independents the catholics of the two kingdoms; for which purpose, the sentiments of sir Kenelm Digby and sir John Winter were sounded, and conferences were held, through the agency of the Spanish ambassador, with O'Reilly and Quin, two Irish ecclesiastics. It was proposed that toleration should be granted for the exercise of the catholic worship, without any penal disqualifications, and that the catholics in return should disclaim the temporal pretensions of the pope, and maintain ten thousand men for the service of the commonwealth. In aid of this project, Digby, Winter, and the Abbé Montague, were suffered to come to England under the pretence of compounding for their estates; and the celebrated Thomas White, a secular clergyman, published a work entitled "The Grounds of Obedience and Government," to show that the people may be released from their obedience to the civil magistrate by his misconduct; and that, when he is once deposed (whether justly or unjustly makes no difference), it may be for the common interest to acquiesce, rather than attempt his restoration. That this doctrine was satisfactory to the men in power cannot be doubted; but they had so often reproached the late king with a coalition with the papists, that they dared not to make the experiment, and, after some time, to blind perhaps the eyes of the people, severe votes were passed against Digby, Montague, and Winter, and orders were given for the apprehension of priests and jesuits †.

Mar. 29.
 Apr.
 Aug. 31.

* Journals, Mar. 30. Whitelock, 389, 391, 392.

† On this obscure subject may be consulted Walker, ii. 150. Carte's

In Ireland an attempt was made to fortify the parliamentary party with the friendly aid of O'Neil. That chieftain had received proposals from Ormond, but his jealousy of the commissioners of trusts, his former adversaries, provoked him to break off the treaty, and send a messenger of his own with a tender of his services to Charles. Immediately the earl of Castlehaven, by order of the lord lieutenant, attacked and reduced his garrisons of Maryborough and Athy: and O'Neil, in revenge, listened to the suggestions of Monk, who had retired before the superior force of the Scottish royalists from Belfast to Dundalk. A cessation of hostilities was concluded for three months; and the proposals of the Irish chieftain, modified by Monk, were transmitted to England for the ratification of parliament. By the "grandees" it was thought imprudent to submit them to an examination, which would make them public; but the answer returned satisfied the contracting parties: Monk supplied O'Neil with ammunition, and O'Neil undertook to intercept the communication between the Scottish regiments of the north, and the grand army under Ormond in the heart of the kingdom *.

Feb.
20.Mar.
16.
21.Apr.
25.May
8.

22.

Though the parliament had appointed Cromwell lord

June
22.

Collection of Letters, i. 216. 219. 221, 222. 224. 267. 272. 297; ii. 363, 4: and the Journals, Aug. 31.

* O'Neil demanded liberty of conscience for himself, his followers, and their posterity; the undisturbed possession of their lands, as long as they remained faithful to the parliament; and, in return for his services, the restoration of his ancestor's estate, or an equivalent. (See both his draft, and the corrected copy by Monk in Philop. Iren. i. 191, and in Walker, ii. 233—8.) His agent, on his arrival in London, was asked by the grandees, why he applied to them, and refused to treat with Ormond. He replied, because the late king had always made them fair promises; but, when they had done him service, and he could make better terms with their enemies, had always been ready to sacrifice them. Why then did not O'Neil apply to the parliament sooner? Because the men in power then had sworn to extirpate them; but those in power now professed toleration and liberty of conscience. (Ludlow, i. 25.) The agreement made with him by Monk was rejected (Aug. 10), because, if we believe Ludlow, the Ulster men had been the chief actors in the murder of the English, and liberty of religion would prove dangerous to public peace. But this rejection happened much later. It is plain that Jones, Monk, Coote, and O'Neil, understood that the agreement would be ratified, though it was delayed. Walker, ii. 198. 231. 245. See King's Pamphlets, 428. 435. 437.

lieutenant of Ireland, and vested the supreme authority, both civil and military, in his person for three years, he was still unwilling to hazard his reputation and his prospects in a dangerous expedition without the adequate means of success. Out of the standing army of forty-five thousand men, with whose aid England was now governed, he demanded a force of twelve thousand veterans, with a plentiful supply of provisions and military stores, and the round sum of 100,000*l.* in ready money*. On the day of his departure, his friends assembled at Whitehall; three ministers solemnly invoked the blessing of God on the arms of his saints; and three officers, Goff, Harrison, and the lord lieutenant himself, expounded the Scriptures "excellently well, and pertinently to the occasion." After these outpourings of the spirit, Cromwell mounted his carriage, drawn by six horses. He was accompanied by the great officers of state and of the army; his life guard, eighty young men, all of quality, and several holding commissions as majors and colonels, delighted the spectators with their splendid uniforms and gallant bearing; and the streets of the metropolis resounded, as he drove towards Windsor, with the acclamations of the populace and the clangor of military music†. It had been fixed that the expedition should sail from Milford-haven; but the impatience of the general was checked by the reluctance and desertion of his men. The recent transaction between Monk and O'Neil had diffused a spirit of distrust through the army. It was pronounced an apostacy from the principles on which they had fought. The exaggerated horrors of the massacre in 1641 were recalled to mind; the repeated resolutions of parliament to extirpate the native Irish, and the solemn engagement of the army to revenge the blood which had been shed, were warmly discussed; and the invectives of the leaders against the late king,

* Cromwell received 3000*l.* for his outfit, 10*l.* per day as *general* while he remained in England, and 2000*l.* per quarter in Ireland, besides his salary as lord lieutenant. Council Book, July 12. No. 10.

† Whitelock, 413. Leicester's Journal, 76.

when he concluded a peace with the confederate catholics, were contrasted with their present backsliding, when they had taken the men of Ulster for their associates in the cause and their brethren in arms. To appease the growing discontent, parliament annulled the agreement. Monk, who had returned to England, was publicly assured that, if he escaped the punishment of his indiscretion, it was on account of his past services and good intentions. Peters from the pulpit employed his eloquence to remove the blame from the grandees; and, if we may judge from the sequel, promises were made, not only that the good cause should be supported, but that the duty of revenge should be amply discharged*.

While the army was thus detained in the neighbourhood of Milford-haven, Jones, in Dublin, reaped the laurels which Cromwell had destined for himself. The royal army advanced on both banks of the Liffy to the siege of that capital; and Ormond, from his quarters at Finglass, ordered certain works to be thrown up at a place called Bogatrath. His object was to exclude the horse of the garrison from the only pasturage in their possession; but by some mishap, the working party did not reach the spot till an hour before sunrise; and Jones, sallying from the walls, overpowered the guard, and raised an alarm in the camp. The confusion of the royalists encouraged him to follow up his success. Regiment after regiment was beaten; it was in vain that Ormond, aroused from his sleep, flew from post to post; the different corps acted without concert; a general panic ensued, and the whole army on the right bank fled in every direction. The artillery, tents, baggage, and ammunition, fell into the hands of the conquerors, with two thousand prisoners, three hundred of whom were massacred in cold blood at the gate of the city. This was called the battle of Rathmines, a battle which destroyed the hopes of the Irish royalists, and taught men to doubt the abilities of Ormond. At court, his

Aug.
1.

2.

* Walker, ii. 230. 243. Whitelock, 416. Leicester's Journal, 82.

enemies ventured to hint suspicions of treason; but Charles, to silence their murmurs, and assure him of the royal favour, sent him the order of the garter*.

18. The news of this important victory hastened the departure of Cromwell. He sailed from Milford with a single division; his son-in-law, Ireton, followed with the remainder of the army, and a fortnight was allowed to the soldiers to refresh themselves after their voyage.

Sept. 3. Aware that the royalists could assemble no army in the field, he marched to the siege of Drogheda. The defences of the place were contemptible; but the garrison consisted of two thousand five hundred chosen men, and the governor, sir Arthur Aston, had earned in the civil war the reputation of a brave and experienced officer.

9. In two days a breach was effected; but Aston ordered

11. trenches to be dug within the wall, and the assailants on their first attempt were quickly repulsed. In the second, more than a thousand men penetrated through the breach; but they suffered severely for their temerity, and were driven back with considerable loss. Cromwell now placed himself at the head of the reserve, and led them to the assault, animating them by his voice and example. In the heat of the conflict, it chanced that the officer who defended one of the trenches fell; his men wavered; quarter was offered and accepted; and the enemy, surmounting the breast-work, obtained possession of the bridge, entered the town, and successively overcame all opposition. The pledge which had been given was now violated; and, as soon as resistance ceased, a general massacre was ordered or tolerated by Cromwell. During five days the streets of Drogheda ran with blood: revenge and fanaticism stimulated the passions of the soldiers; from the garrison they turned

* King's Pamphlets, No. 434, xxi. Whitelock, 410, 1. 2. 4. 5. 7. 9. Clarendon, viii. 92, 93. Carte, Letters, ii. 394. 402. 408. Baillie, ii. 346, Ludlow, i. 257, 8. Ormond, before his defeat, confidently predicted the fall of Dublin (Carte, Letters, ii. 383, 389, 391); after it, he repeatedly asserts that Jones, to magnify his own services, makes the royalists amount to eighteen, whereas, in reality, they were only eight, thousand men. Ibid, 402. 413.

their swords against the inhabitants, and one thousand unresisting victims were immolated together within the walls of the great church, whither they had fled for protection *. From Drogheda the conqueror led his men, flushed with slaughter, to the siege of Wexford. The timid counsels of the townsmen were repressed by the resolution of the governor; but a traitor opened the castle to the enemy; the adjacent wall was immediately scaled; and, after a stubborn but unavailing resistance in the market-place, Wexford was abandoned to the mercy of the assailants. The tragedy, so recently acted at Drogheda, was renewed. No distinction was made between the defenceless inhabitant and the armed soldier; nor could the shrieks and prayers of three hundred females, who had gathered round the great cross, preserve them from the swords of these ruthless barbarians. By Cromwell himself the number of the slain is reduced to two, by some writers it has been swelled to five, thousand †.

Ormond, unable to interrupt the bloody career of his adversary, waited with impatience for the determination of O'Neil. That chieftain had faithfully performed his engagements with the parliamentary commanders. He had thrown impediments in the way of the royalists; he had compelled Montgomery to raise the siege of Londonderry, and had rescued Coote and his small army, the

* See Carte's Ormond, ii. 84. Carte, Letters, iv. 412. Philop. Iren. i. 120 Whitelock, 428. Indlow, i. 261. Lynch, Cambrensis Eversus, in fine. King's Pamph. 441. 17. Ormond repeatedly asserts that quarter was granted before the massacre. "All his officers and soldiers promising quarter to such as would lay down their arms, and performing it as long as any place held out which encouraged others to yield. But when they had once all in their power, and feared no hurt that could be done them, then the word no quarter went round, and the soldiers were many of them forced against their wills to kill their prisoners." Carte, Letters, ii. 412. Cromwell seems to assert the contrary in his public despatch. "Being thus entered, we refused them quarter, having the day before summoned the town. I believe we put to the sword the whole number of the defendants. . . . This is a marvellous great mercy." In another letter is admitted the additional massacre of a thousand of the inhabitants, who had fled to the great church for security. Whitelock, 428.

† Carte's Ormond, ii. 92. Castlehaven, 99. Philop. Iren. i. 223. King's Pamphlets, 442. 35.

last hope of the parliament in Ulster, from the fate which seemed to await them. At first the leaders in London hesitated, after the victory of Rathmines they publicly refused, to ratify the treaties made with him by their officers*. Stung with indignation, O'Neil accepted the offers of Ormond, and marched from Londonderry to join the royal army: but his progress was retarded by sickness, and he died at Clocknacter in Cavan. His officers, however, fulfilled his intentions: the arrival of the men of Ulster revived the courage of their associates; and the English general was successively foiled in his attempts upon Duncannon and Waterford. His forces already began to suffer from the inclemency of the season, when lord Broghill, who had lately returned from England, debauched the fidelity of the regiments under lord Inchiquin. The garrisons of Cork, Youghall, Bandon, and Kinsale, declared for the parliament, and Cromwell seized the opportunity to close the campaign, and place his followers in winter quarters†.

1650. But inactivity suited not his policy or inclination. After seven weeks of repose he again summoned them
Jan. into the field; and at the head of twenty thousand men,
29. well appointed and disciplined, confidently anticipated the entire conquest of Ireland. The royalists were destitute of money, arms, and ammunition; a pestilential disease, introduced with the cargo of a ship from Spain, ravaged their quarters; in the north, Charlemont alone acknowledged the royal authority; in Leinster and Munster, almost every place of importance had been wrested from them by force or perfidy; and even in Connaught, their last refuge, internal dissension prevented that union which alone could save them from

* Council Book, Aug. 6. No. 67, 8, 9, 70. Journals, Aug. 10, 24. Walker, ii. 245—8. King's Pamphlets, No. 435, xi. 437. xxxiii. The reader must not confound this Owen Roe O'Neil with another of the same name, one of the regicides, who claimed a debt of 5,065*l.* 17*s.* 6*d.* of the parliament, and obtained an order for it to be paid out of the forfeited lands in Ireland. Journ. 1653. Sep. 9.

† Phil. Iren. i. 231. Carte's Ormond, ii. 102. Desid. Curios. Hib. ii. 521.

utter destruction. Their misfortunes called into action the factions which had lain dormant since the departure of the nuncio. The recent treachery of Inchiquin's forces had engendered feelings of jealousy and suspicion; and many contended that it was better to submit at once to the conqueror than depend on the doubtful fidelity of the lord lieutenant. Cromwell met with little resistance: wherever he came, he held out the promise of life and liberty of conscience *; but the rejection of the offer, though it were afterwards accepted, was punished with the blood of the officers; and, if the place were taken by force, with indiscriminate slaughter†. Proceeding on this plan, one day granting quarter, another putting the leaders only to the sword, and on the next immolating the whole garrison, hundreds of human beings at a time, he quickly reduced most of the towns and castles in the three counties of Limerick, Tipperary, and Kilkenny. But this bloody policy at length recoiled upon its author. Men, with no alternative but victory or death, learned to fight with the energy of despair. At the siege of Kilkenny the assailants, though twice repulsed from the breach, were, by the timidity of some of the inhabitants, admitted within the walls: yet, so obstinate was the resistance of the garrison, that, to spare his own men, the general consented to grant them honourable terms. From Kil-Mar. kenny he proceeded to the town of Clonmel, where Hugh, 28.

* Liberty of conscience he explained to mean liberty of internal belief, not of external worship. See his letter in *Phil. Iren.* i. 270:

† The Irish commanders disdained to imitate the cruelty of their enemies. "I took," says lord Castlehaven, "Athy by storm with all the garrison (seven hundred men) prisoners. I made a present of them to Cromwell, desiring him by letter that he would do the like with me, as any of mine should fall into his power. But he little valued my civility. For, in a few days after, he besieged Gouvan; and the soldiers mutinying, and giving up the place with their officers, he caused the governor, Hammond, and some other officers, to be put to death." Castlehaven, 107. Ormond also says, in one of his letters, "the next day Rathfarnham was taken by storm, and all that were in it made prisoners; and though five hundred soldiers entered the castle before any officer of note, yet not one creature was killed; which I tell you by the way, to observe the difference betwixt our and the rebels making use of a victory." Carte, Letters, ii. 408.

- the son of the deceased O'Neil, commanded with one thousand two hundred of the best troops of Ulster. The duration of the siege exhausted his patience ; the breach
- May 9. was stormed a second time ; and, after a conflict of four hours, the English were driven back with considerable loss. The garrison, however, had expended their ammunition ; they took advantage of the confusion of the enemy to depart during the darkness of the night ;
10. and the townsmen the next morning, keeping the secret, obtained from Cromwell a favourable capitulation*. This was his last exploit in Ireland. From Clonmel he was recalled to England, to undertake a service of greater importance and difficulty, to which the reader must now direct his attention.
1649. The young king, it will be remembered, had left the
- June. Hague on his circuitous route to Ireland, whither he had been called by the advice of Ormond and the wishes of the royalists. He was detained three months at St. Germain's by the charms of a mistress, or the intrigues of
- Sept. his courtiers, nor did he reach the island of Jersey till long after the disastrous battle of Rathmines. That event made his further progress a matter of serious discussion ; and the difficulty was increased by the arrival
- Oct. of Wynram of Libertoun, with addresses from the parliament and the kirk of Scotland. The first offered, on his acknowledgment of their authority as a parliament, to treat with him respecting the conditions proposed by their former commissioners : but the latter, in language unceremonious and insulting, laid before him the sins of his youth ; his refusal to allow the Son of God to reign over him in the pure ordinances of church government and worship ; his cleaving to counsellors who never had the glory of God or the good of his people before their eyes ; his admission to his person of "that fugacious
- "man and excommunicate rebel, James Graham," and, above all, "his giving the royal power and strength to
- "the beast," by concluding a peace "with the Irish pa-

* Whitelock, 449. 456. Castlehaven, 108. Ludlow, i. 265. Perfect Politician, 70.

"pists, the murderers of so many protestants." They bade him remember the iniquities of his father's house, and be assured that, unless he laid aside the "service book so stuffed with Romish corruptions, for the reformation of doctrine and worship agreed upon by the divines at Westminster," and approved of the covenant in his three kingdoms, without which the people could have no security for their religion or liberty, he would find that the Lord's anger was not turned away, but that his hand was still stretched against the royal person and his family*.

This coarse and intemperate lecture was not calculated to make a convert of a young and spirited prince. Instead of giving an answer, he waited to ascertain the opinion of Ormond; and at last, though inclination prompted him to throw himself into the arms of his Irish adherents, he reluctantly submitted to the authority of that officer, who declared, that the only way to preserve Ireland was by provoking a war between England and Scotland†. Charles now condescended to give to the 1650. convention the title of estates of parliament, appointed Jan. Breda, a small town, the private patrimony of the prince 11. of Orange, for the place of treaty; and met there the new commissioners, the earls of Cassilis and Lothian, Mar. 15. with two barons, two burgesses, and three ministers. Their present scarcely differed from their former demands; nor were they less unpalatable to the king. To consent to them appeared to him an apostacy from the principles for which his father fought and died; an abandonment of the Scottish friends of his family to the mercy of his and their enemies. On the other hand, the prince of Orange importuned him to acquiesce; many of his counsellors suggested that, if he were once on the throne, he might soften or subdue the obstinacy of the Scottish parliament; and his mother, by her letters, ex-

* Clar. State Papers, iii. app. 89—92. Carte's Letters, i. 323. Whitelock, 429. The address of the kirk was composed by Mr. Wood, and disapproved by the more moderate. Baillie, ii. 339. 345.

† Carte's Letters, i. 333. 340.

horted him not to sacrifice to his feelings this his last resource, the only remaining expedient for the recovery of his three kingdoms. But the king had still another resource; he sought delays; his eyes were fixed on the efforts of his friends in the north of Scotland; and he continued to indulge a hope of being replaced without conditions on the ancient throne of his ancestors*.

- Aug. Before the king left St. Germain's he had given to Montrose a commission to raise the royal standard in Scotland. The fame of that nobleman secured to him a gracious reception from the northern sovereigns: he visited each court in succession; and in all obtained permission to levy men, and received aid either in money or in military stores. In autumn he despatched the first expedition of 12,000 men from Gottenburg under the lord Kinnoul: but the winds and waves fought against the royalists; several sail were lost among the rocks;
- Oct. and, when Kinnoul landed at Kirkwall in the Orkneys, he could muster only eighty officers, and one hundred common soldiers out of the whole number. But Mont-
1650. rose was not to be appalled by ordinary difficulties.
- Jan. Having received from the new king the order of the
12. garter, he followed with 500 men mostly foreigners; added them to the wreck of the first expedition, and to the new levies, and then found himself at the head of a force of more than 1000 men. His banner, on which was painted a representation of the late king decapitated, with this motto, "judge and avenge my cause, "O Lord," was entrusted to young Menzies of Pitfoddels, and a declaration was circulated through the highlands, calling upon all true Scotsmen to aid in establishing their king upon the throne, and in saving him from the treachery of those, who, if they had him in their power, would sell him as they had sold his father to English rebels. Having transported his whole force from Holm Sound to the northern extremity of Caithness, he traversed that and the neighbouring county of Sutherland,
- Mar.

* Carte's Letters, l. 338. 355. Whitelock, 430. Clarendon, iii. 343.

calling on the natives to join the standard of their sovereign. But his name had now lost that magic influence which success had once thrown around it; and the several clans shunned his approach through fear, or watched his progress as foes. In the mean time his declaration Feb. 9. had been solemnly burnt by the hangman in the capital: the pulpits had poured out denunciations against the "rebel and apostate Montrose, the viperous brood of Satan, and the accursed of God and the kirk;" and a force of 4000 regulars had been collected on Brechin moor under the command of general Leslie, who was careful to cut off every source of information from the royalists. Montrose had reached the borders of Ross-April 25. shire, when colonel Strachan, who had been sent forward to watch his motions, learned in Corbiesdale that the enemy, unsuspecting of danger, lay at the short distance 27. of only two miles. Calling his men around him under the cover of the long broom on the moor, he prayed, sang a psalm, and declared that he had consulted the Almighty, and knew as assuredly as there was a God in heaven, that the enemies of Christ were delivered into their hands. Then dividing his small force of about 400 men into several bodies, he showed at first a single troop of horse, whom the royalists prepared to receive with their cavalry: but after a short interval, appeared a second, then a third, then a fourth; and Montrose believing that Leslie's entire army was advancing, ordered the infantry to take shelter among the brushwood and stunted trees on a neighbouring eminence. But before this movement could be executed, his horse were broken, and his whole force lay at the mercy of the enemy. The standard-bearer with several officers, and most of the natives was slain; the mercenaries made a show of resistance, and obtained quarter; and Montrose, whose horse had been killed under him, accompanied by Kinnoul, wandered on foot, without a guide, up the valley of the Kyle, and over the mountains of Sutherland. Kinnoul, unable to bear the hunger and fatigue, was left and

April perished : Montrose, on the third day, obtained refreshment at the hut of a shepherd ; and, being afterwards discovered, claimed the protection of Macleod of Assynt, who had formerly served under him in the royal army. But the fidelity of the laird was not proof against temptation ; he sold the king's lieutenant for 400 bolls of meal ; and Argyle and his associates, almost frantic with joy, passed an act to regulate the ignominious treatment to which their captive should be subjected, the form of the judgment to be pronounced, and the manner of his subsequent execution. When Montrose reached the capital, he found the magistrates in their robes waiting to receive him. First the royal officers, twenty-three in number, were ranged in two files, and ordered to walk forward manacled and bare-headed : next came the hangman with his bonnet on his head, dressed in the livery of his office, and mounted on his horse that drew a vehicle of new form devised for the occasion ; and then on this vehicle was seen Montrose himself, seated on a lofty form, and pinioned, and uncovered. The procession paraded slowly through the city from the Watergate to the common jail, whilst the streets resounded with shouts of triumph, and with every expression of hatred, which religious or political fanaticism could inspire*.

From his enemies Montrose could expect no mercy ; but his death was hastened, that the king might not have time to intercede in his favour. The following day, a Sunday, was indeed given to prayer : but on the next the work of vengeance was resumed, and the captive was summoned before the parliament. His features, pale and haggard, showed the fatigue and privations which he had endured : but his dress was splendid, his mien fearless, his language calm, firm, and dignified.

* Carte's Letters, i. 345. Balfour, iii. 432. 439 ; iv. 8—13. Whitelock, 435. 452. 3, 4, 5. Clarendon, iii. 348—353. Laing, iii. 443. The neighbouring clans ravaged the lands of Assynt to revenge the fate of Montrose, and the parliament granted in return to Macleod 20,000 pounds Scots out of the fines to be levied on the royalists in Caithness and Orkney. Balf. iv. 52. 56.

To the chancellor, who, in a tone of bitterness and reprobation, enumerated the offences with which he was charged, he replied, that since the king had condescended to treat with them as estates, it became not a subject to dispute their authority; but that the apostacy and rebellion with which they reproached him were, in his estimation, acts of duty. Whatever he had done, either in the last or present reign, had been done with the sanction of the sovereign. If he had formerly taken up arms, it had been to divert his countrymen from the impious war which they waged against the royal authority in England; if now, his object was to accelerate the existing negociation between them and their new king. As a Christian, he had always supported that cause which his conscience approved; as a subject, he always fought in support of his prince; and as a neighbour, he had frequently preserved the lives of those who had forfeited them against him in battle. The chancellor, in return, declared him a murderer of his fellow subjects, an enemy to the covenant and the peace of the kingdom, and an agitator, whose ambition had helped to destroy the father, and was now employed for the destruction of the son. Judgment, which had been passed in parliament some days before, was then pronounced by the dempster, that James Graham should be hanged for the space of three hours on a gibbet thirty feet high, that his head should be fixed on a spike in Edinburgh, his arms on the gates of Perth or Stirling, his legs on those of Glasgow and Aberdeen, and his body be interred by the hangman on the burrowmuir, unless he were previously released from excommunication by the kirk. During this trying scene, his enemies eagerly watched his demeanour. Twice, if we may believe report, he was heard to sigh, and his eyes occasionally wandered along the cornice of the hall. But he stood before them cool and collected: no symptom of perturbation marked his countenance, no expression of complaint or impatience

escaped his lips ; he showed himself superior to insult, and unscared at the menaces of death.

The same high tone of feeling supported the unfortunate victim to the last gasp. When the ministers admonished him that his punishment in this world was but a shadow of that which awaited him in the next, he indignantly replied, that he gloried in his fate, and only lamented that he had not limbs sufficient to furnish every city in Christendom with proofs of his loyalty. On the scaffold, he maintained the uprightness of his conduct, praised the character of the present king, and appealed from the censures of the kirk to the justice of Heaven. As a last disgrace, the executioner hung round his neck his late declaration, with the history of his former exploits. He smiled at the malice of his enemies, and said that they had given him a more brilliant decoration than the garter with which he had been honoured by his sovereign. Montrose, by his death, won more proselytes to the royal cause than he had ever made by his victories. He was in his thirty-eighth year*.

Long before this the commissioners from both parties had met at Breda ; and, on the very day of the opening of the conferences, Charles had despatched an order to Montrose to proceed according to his instructions, and to bear in mind that the success of the negotiation at Breda depended on the success of his arms in Scotland †. A month afterwards he commended in strong terms the loyalty of lord Napier, and urged him to repair without delay to the aid of his lieutenant‡. It is impossible after this to doubt of his approbation of the attempt.

* Balfour, iv. 13, 15, 16, 19—22. Wishart, 389. Clar. iii. 353—356. Whitelock, 456. Colonel Hurry, whom the reader has seen successively serving under the king and the parliament in the civil war, Spotiswood, the grandson of the archbishop of that name, sir W. Hay, who had been forefaulted as a catholic in 1647, Sibbald, the confidential envoy of Montrose, and several others were beheaded. Of the common soldiers, some were given to different lords to be fishermen or miners, and the rest enrolled in regiments in the French service. Balfour, iv. 18, 27, 28, 32, 33, 44.

† Carte, iv. 626.

‡ Napier's Montrose, ii. 528. Yet on May 5th the king signed an article, stipulating that Montrose should lay down his arms, receiving a full in-

But, when the news arrived of the action at Corbiesdale, his eyes were opened to the danger which threatened him: the estates, in the insolence of victory, might pass an act to exclude him at once from the succession to the Scottish throne. Acting, therefore, after the unworthy precedent set by his father respecting the powers given to Glamorgan, he wrote to the parliament, protesting that the invasion made by Montrose had been expressly forbidden by him, and begging that they "would do him the justice to believe that he had not been accessory to it in the least degree:" in confirmation of which the secretary at the same time assured Argyle that the king felt no regret for the defeat of a man who had presumed to draw the sword "without and contrary to the royal command*." These letters arrived too late to be of injury to the unfortunate victim, whose limbs were already bleaching on the gates of the principal towns in Scotland: but the falsehood so confidently put forth, must cover with infamy the prince who could thus, to screen himself from the anger of his enemies, calumniate the most devoted of his followers, one who had so often periled, and at length forfeited, his life in defence of the throne.

Charles had now no resource but to submit with the best grace to the demands of the Scots. He signed the treaty, binding himself to take the Scottish covenant, and the solemn league and covenant; to disavow and declare null the peace with the Irish, and never to permit the free exercise of the catholic religion in Ireland, or any other part of his dominions; to acknowledge the authority of all parliaments held since the commencement of the late war; and to govern, in civil matters, by advice of the parliament, in religious, by that of the

demnity for all that was past. Carte, iv. 630. This article reached Edinburgh before the execution of Montrose, and was kept secret. I see not, however, what benefit he could claim from it. He had not laid down arms in obedience to it; for he had been defeated a week before it was signed.

* Balfour, iv. 24, 25. Yet on May 15th Charles wrote to Montrose to act according to the article in the last note. Ibid.

- June kirk*. These preliminaries being settled, he embarked
2. on board a small squadron furnished by the prince of Orange, and, after a perilous navigation of three weeks, during which he had to contend with the stormy weather, and to elude the pursuit of the parliamentary cruisers, he arrived in safety in the frith of Cromartie. The king was received with the honours due to his dignity ; a court with proper officers was prepared for him at Falkland, and the sum of 100,000*l.* Scots, or 9000*l.* English, was voted for the monthly expense of his household. But the parliament had previously passed
 23. an act banishing from Scotland several of the royal favourites by name, and excluding the "engagers" from the verge of the court, and all employment in the state.
 4. After repeated applications the duke of Buckingham, the lord Wilmot, and a few English servants, who took the covenant, obtained permission to remain with the king : many of the Scottish exiles embraced the opportunity to withdraw from notice into the western isles, or the more distant parts of the country †.

It was the negotiation between the Scots and their nominal king that arrested Cromwell in the career of victory, and called him away from the completion of his conquest. The rulers of the commonwealth were aware of the intimate connexion which the solemn league and covenant had produced between the English presbyterians and the kirk of Scotland, whence they naturally inferred that, if the pretender to the English were once seated on the Scottish throne, their own power would be placed on a very precarious footing. From the first they had watched with jealousy the unfriendly proceedings of the Scottish parliament. Advice and persuasion had been tried, and had failed. There remained the resource of war ; and war, it was hoped, would either compel the Scots to abandon the claims of Charles, or reduce Scotland to a province of the commonwealth. Fairfax, in-

* Thurloe, i. 147.

† Balfour, iv. 41. 60, 61. 64, 65. 67. 73. 77, 78. Whitelock, 462. Clarendon, iii. 346. 356, 7.

deed, (he was supposed to be under the influence of a
 presbyterian wife and of the presbyterian ministers,)
 disapproved of the design*; but his disapprobation,
 though lamented in public, was privately hailed as a
 benefit by those who were acquainted with the aspiring
 designs of Cromwell, and built on his elevation the
 flattering hope of their own greatness. By their means,
 as soon as the lord lieutenant had put his troops into 1650.
 winter quarters, an order was obtained from parliament
 for him to attend his duty in the house; but he resumed Jan.
 his military operations, and two months were suffered 8.
 to elapse before he noticed the command of the supreme April
 authority, and condescended to make an unmeaning 2.
 apology for his disobedience. On the renewal of the May
 order, he left the command in Ireland to Ireton, and, 30.
 returning to England, appeared in his seat. He was June
 received with acclamations; the palace of St. James's 4.
 was allotted for his residence, and a valuable grant of 12.
 lands was voted as a reward for his eminent services.
 In a few days followed the appointment of Fairfax to 14.
 the office of commander-in chief, and of Cromwell to
 that of lieutenant general of the army designed to be
 employed in Scotland. Each signified his "readiness
 " to observe the orders of the house;" but Fairfax at the
 same time revealed his secret and conscientious ob-
 jections to the council of state. A deputation of five
 members, Cromwell, Lambert, Harrison, Whitelock, and 24.
 St. John, waited on him at his house; the conference
 was opened by a solemn invocation of the Holy Spirit,
 and the three officers prayed in succession with the
 most edifying fervour. Then Fairfax said that, to
 his mind, the invasion of Scotland appeared a violation
 of the solemn league and covenant which he had sworn
 to observe. It was replied, that the Scots themselves
 had broken the league by the invasion of England
 under the duke of Hamilton; and that it was always
 lawful to prevent the hostile designs of another power.
 But he answered that the Scottish parliament had

* Whitelock, 438.

- given satisfaction by the punishment of the guilty ; that the probability of hostile designs ought indeed to lead to measures of precaution, but that certainty was required to justify actual invasion. No impression was made on his mind ; and, though Cromwell and his brother officers earnestly solicited him to comply, " there " was cause enough," says one of the deputation, " to
- JUNE " believe that they did not overmuch desire it *." The
25. next day another attempt ended with as little success ; the lord general alleging the plea of infirm health and misboding conscience, sent back the last commission, and at the request of the house, the former also ; and the chief command of all the forces raised, or to be raised by order of parliament, was conferred on Oliver
26. Cromwell. Thus this adventurer obtained at the same time the praise of moderation and the object of his am-
29. bition. Immediately he left the capital for Scotland ; and Fairfax retired to his estate in Yorkshire, where he lived with the privacy of a country gentleman, till he once more drew the sword, not in support of the commonwealth, but in favour of the king †.

To a spectator who considered the preparations of the two kingdoms, there could be little doubt of the result.

JULY Cromwell passed the Tweed at the head of sixteen

16. thousand men, most of them veterans, all habituated to military discipline, before the raw levies of the Scots had quitted their respective shires. By order of the Scottish parliament the army had been fixed at thirty thousand men ; the nominal command had been given to the earl of Leven, the real, on account of the age and infirmities of that officer, to his relative, David Leslie, and instructions had been issued that the country between Berwick and the capital should be laid waste, that the cattle and provisions should be removed or

* Whitelock, 460. 2. Ludlow says, " he acted his part so to the life, " that I really thought him in earnest ; but the consequence made it sufficiently evident that he had no such intention." i. 272. Hutchinson, who was present on one of these occasions, thought him sincere. Hutchinson, 315.

† Whitelock, 438. 450. 457. Journals, Jan 8. Feb. 25. Mar. 30. Apr. 15 May 2. 7. 30. June 4. 12. 14. 25. 26.

destroyed, and that the inhabitants should abandon their homes under the penalties of infamy, confiscation, and death. In aid of this measure reports were industriously circulated of the cruelties exercised by Cromwell in Ireland; that, wherever he came, he gave orders to put all the males between sixteen and sixty to death, to deprive all the boys between six and sixteen of their right hands, and to bore the breasts of the females with red-hot irons. The English were surprised at the silence and desolation which reigned around them; for the only human beings whom they met on their march through this wilderness, were a few old women and children who on their knees solicited mercy. But Cromwell conducted them by the sea-coast; the fleet daily supplied them with provisions, and their good conduct gradually dispelled the apprehensions of the natives*. They found the Scottish levies posted behind a deep en-^{July}trenchment, running from Edinburgh to Leith, fortified 28. with numerous batteries, and flanked by the cannon of the castle at one extremity, and of the harbour at the other. Cromwell employed all his art to provoke, Leslie to avoid, an engagement. It was in vain that for more than a month the former marched and countermarched; that he threatened general, and made partial, attacks. Leslie remained fixed within his lines; or, if he occasionally moved, watched the motions of the enemy from the nearest mountains, or interposed a river or morass between the two armies. The English began to be exhausted with fatigue; sickness thinned their ranks; the arrival of provisions depended on the winds and waves; and Cromwell was taught to fear, not the valour of the enemy, but the prudence of their general†.

The reader will already have observed how much at

* Whitelock, 465, 466, 468. Perfect Diurnal, No. 324. See the three declarations: that of the parliament on the marching of the army; of the army itself, addressed "to all that are saints and partakers of the faith of God's elect in Scotland;" and, the third, from Cromwell, dated at Berwick, in the Parliamentary History, xix. 276. 298. 310. King's Pamphlets, 473. 20.

† Balfour, iv. 87, 88. 90. Whitelock, 467, 8.

- this period the exercises of religion were mixed up with the concerns of state and even the operations of war. Both parties equally believed that the result of the expedition depended on the will of the Almighty, and that it was, therefore, their duty to propitiate his anger by fasting and humiliation. In the English army the officers prayed and preached: they "sanctified the camp," and exhorted the men to unity of mind, and godliness of life. Among the Scots this duty was discharged by the ministers; and so fervent was their piety, so merciless their zeal, that, in addition to their prayers, they occasionally compelled the young king to listen to six long sermons on the same day, assuming an air of gravity, and displaying feelings of devotion, which ill-accorded with his real disposition. But the English had no national crime to deplore; by punishing the late king, *they* had atoned for the evils of the civil war: the Scots, on the contrary, had adopted his son without any real proof of his conversion, and therefore feared that they might draw down on the country the punishment due to his sins and those of his family. It happened that
- July 29. Charles, by the advice of the earl of Eglington, presumed to visit the army on the Links of Leith. He was received with shouts of enthusiasm by the soldiers, who, on their knees, pledged the health of their young sovereign; but the committee of the kirk complained that
- Aug. 2. his presence led to ebriety and profaneness, and he received a request, equivalent to a command, to quit the
3. camp. The next day a declaration was made, that the company of malignants, engagers, and enemies to the covenant, could not fail of multiplying the judgments of God upon the land; an inquiry was instituted into the characters of numerous individuals; and eighty officers, with many of their men, were cashiered, that they might not contaminate by their presence the army of the saints*. Still it was for Charles Stuart, the chief
9. of the malignants, that they were to fight, and therefore

* Balfour, iv. 86. 89.

from him, to appease the anger of the Almighty, an expiatory declaration was required in the name of the parliament and the kirk.

In this instrument he was called upon to lament, in the language of penitence and self-abasement, his father's opposition to the work of God and to the solemn league and covenant, which had caused the blood of the Lord's people to be shed, and the idolatry of his mother, the toleration of which in the king's house could not fail to be a high provocation against him who is a jealous God, visiting the sins of the fathers upon the children; to declare that he had subscribed the covenant with sincerity of heart, and would have no friends nor enemies but those who were friends or enemies to it; to acknowledge the sinfulness of the treaty with the bloody rebels in Ireland, which he was made to pronounce null and void; to detest popery and prelacy, idolatry and heresy, schism and profaneness; and to promise that he would accord to a free parliament in England the propositions of the two kingdoms, and reform the church of England according to the plan devised by the assembly of divines at Westminster*.

When first this declaration, so humbling to his pride, Aug. so offensive to his feelings, was presented to Charles for 10. his signature, he returned an indignant refusal: a little 13. reflection induced him to solicit the advice of the council, and the opinion of the principal ministers. But the godly refused to wait; the two committees of the kirk 14. and kingdom protested that they disowned the quarrel and interest of every malignant party, disclaimed the guilt of the king and his house, and would never prosecute his interest without his acknowledgment of the sins of his family and of his former ways, and his promise of giving satisfaction to God's people in both kingdoms. This protestation was printed and furtively sent to the

* Balfour, iv. 92. Whitelock, 469. "A declaration by the king's majesty to his subjects of the kingdoms of Scotland, England, and Ireland." Printed, 1650.

- Aug. English camp : the officers of the army presented to the
15. committee of estates a remonstrance and supplication expressive of their adhesion ; and the ministers maintained from their pulpits that the king was the root of malignancy, and a hypocrite, who had taken the covenant without an intention of keeping it. Charles,
 16. yielding to his own fears, and the advice of his friends, at the end of three days subscribed, with tears, the obnoxious instrument. If it were folly in the Scots to propose to the young prince a declaration so repugnant to his feelings and opinions, it was greater folly still to believe that professions of repentance extorted with so much violence could be sincere or satisfactory : yet his subscription was received with expressions of joy and gratitude ; both the army and the city observed a solemn fast for the sins of the two kings, the father and the son ; and the ministers, now that the anger of Heaven had been appeased, assured their hearers of an easy victory over a “ blaspheming general and a sectarian army*.”

- If their predictions were not verified, the fault was undoubtedly their own. The caution and vigilance of Leslie had triumphed over the skill and activity of “ the “ blasphemer.” Cromwell saw no alternative but victory or retreat : of the first he had no doubt, if he could come into contact with the enemy ; the second was a perilous attempt, when the passes before him were pre-occupied, and a more numerous force was hanging on his rear.
30. At Musselburg, having sent the sick on board the fleet, (they suffered both from the “ disease of the country,” and from fevers caused by exposure on the Pentland hills,) he ordered the army to march the next morning to Haddington, and thence to Dunbar ; and the same

* Balfour, iv. 91, 92. 95. The English parliament in their answer exclaim : “ What a blessed and hopeful change is wrought in a moment “ in this young king ! How hearty is he become to the cause of God and “ the work of reformation ! How readily doth he swallow down these “ bitter pills, which are prepared for and urged upon him, as necessary “ to effect that desperate cure under which his affairs lie ! But who sees “ not the gross hypocrisy of this whole transaction, and the sandy and “ rotten foundation of all the resolutions flowing hereupon ?” See Parliamentary History, xix, 359—386.

night a meteor, which the imagination of the beholders likened to a sword of fire, was seen to pass over Edinburgh in a south-easterly direction, an evident presage in the opinion of the Scots, that the flames of war would be transferred to the remotest extremity of England *. ^{Aug.} At Dunbar, Cromwell posted his men in the vicinity of 31. Broxmouth-house; Leslie with the Scots moving along the heights of Lammermuir, occupied a position on the Doon hill, about two miles to the south of the invaders: and the advanced posts of the armies were separated only by a ravine of the depth and breadth of about thirty feet. Cromwell was not ignorant of the danger of his situation: he had even thought of putting the infantry on board the fleet, and of attempting to escape with the cavalry by the only outlet, the high road to Berwick: but the next moment he condemned the thought as “a weakness of the flesh, a distrust in the power of the Almighty;” and ordered the army “to seek the Lord, who would assuredly find a way of deliverance for his faithful servants.” On the other side the committees of the kirk and estates exulted in the prospect of executing the vengeance of God upon “the sectaries;” and afraid that the enemy should escape, compelled their general to depart from his usual caution, and to make preparation for battle. Cromwell, with his officers, had spent part of the day in calling upon the Lord: while he prayed, the enthusiast felt an enlargement of the heart, a buoyancy of spirit, which he took for an infallible presage of victory; and, beholding through his glass the motion in the Scottish camp, he exclaimed, “they are coming down: the Lord hath delivered them into our hands †.” During the night, he advanced the army to the edge of the ravine; and ^{Sept.} at an early hour in the morning the Scots attempted to 3.

* Balfour, iv. 94.

† Sagredo, the Venetian ambassador, in his relation to the senate, says that Cromwell pretended to have been assured of the victory by a supernatural voice. *Prima che venisse alla battaglia, diede cuore ai soldati con assiecurargli la vittoria predettagli da Dio, con una voce, che lo aveva a mezza notte riscosso dal sonno.* MS. copy in my possession.

seize the pass on the road from Dunbar to Berwick. After a sharp contest, the Scottish lancers, aided by their artillery, charged down the hill, drove the brigade of English cavalry from its position, and broke through the infantry, which had advanced to the support of the horse. At that moment the sun made its appearance above the horizon; and Cromwell, turning to his own regiment of foot, exclaimed: "let the Lord arise, and scatter his "enemies." They instantly moved forward with their pikes levelled; the horse rallied; and the enemy's lancers hesitated, broke, and fled. At that moment the mist dispersed, and the first spectacle which struck the eyes of the Scots, was the rout of their cavalry. A sudden panic instantly spread from the right to the left of their line: at the approach of the English they threw down their arms and ran. Cromwell's regiment halted to sing the 117th Psalm; but the pursuit was continued for more than eight miles; the dead bodies of three thousand Scots strewed their native soil; and ten thousand prisoners, with the artillery, ammunition, and baggage, became the reward of the conquerors*.

Cromwell now thought no more of his retreat. He marched back to the capital; the hope of resistance was abandoned; Edinburgh and Leith opened their gates, and the whole country to the Forth submitted to the will of the English general. Still the presumption of the six ministers who formed the committee of the kirk, was not humbled. Though their predictions had been falsified, they were still the depositaries of the secrets of the Deity; and, in a "Short Declaration and Warning," they announced to their countrymen the thirteen causes of this national calamity, the reasons why "God had

* Carte's Letters, i. 381. Whitelock, 470, 471. Ludlow, i. 283. Balfour, iv. 97. Several proceedings, No. 50. Parl. Hist. xix. 343—352. 478. Cromwelliana, 89. Of the prisoners, five thousand one hundred, something more than one half, being wounded, were dismissed to their homes, the other half were driven "like turkies" into England. Of these, one thousand six hundred died of a pestilential disease, and five hundred were actually sick on Oct. 31. Whitelock, 471. Old Parl. Hist. xix. 417.

"veiled for a time his face from the sons of Jacob." It Sept. 12.
 was by the general profaneness of the land, by the manifest provocations of the king and the king's house, by the crooked and precipitant ways of statesmen in the treaty of Breda, by the toleration of malignants in the king's household, by suffering his guard to join in the battle without a previous purgation, by the diffidence of some officers who refused to profit by advantages furnished to them by God, by the presumption of others who promised victory to themselves without eyeing of God, by the rapacity and oppression exercised by the soldiery, and by the carnal self-seeking of men in power, that God had been provoked to visit his people with so direful and yet so merited a chastisement*.

To the young king the defeat at Dunbar was a subject of real and ill-dissembled joy. Hitherto he had been a mere puppet in the hands of Argyle and his party; now their power was broken, and it was not impossible for him to gain the ascendancy. He entered into a negotiation with Murray, Huntley, Athol, and the numerous royalists in the highlands; but the secret, without the particulars, was betrayed to Argyle, probably by Buckingham, who disapproved of the project; and all the cavaliers but three received an order to leave the court in twenty-four hours—the kingdom in twenty days. The vigilance of the guards prevented the execution of the plan which had been laid: but one afternoon, under pretence of Oct. 4.
 hawking, Charles escaped from Perth, and riding forty-two miles, passed the night in a miserable hovel, called Clova, in the braes of Angus. At break of day he was overtaken by colonel Montgomery, who advised him to return, while the viscount Dudhope urged him to proceed 5.
 to the mountains, where he would be joined by seven thousand armed men. Charles wavered; but Montgomery directed his attention to two regiments of horse that waited at a distance, and the royal fugitive consented to return to his former residence in Perth †. 6.

* Balfour, iv. 98—107.

† Balfour, iv. 109, 113, 114. Baillie, ii. 356. Whitelock, 476. Miscellanea.

- The start (so this adventure was called) proved, however, a warning to the committee of estates. They prudently admitted the apology of the king, who
- Oct. attributed his flight to information that he was that day
10. to have been delivered to Cromwell; they allowed him,
12. for the first time, to preside at their deliberations; and they employed his authority to pacify the royalists in the highlands, who had taken arms in his name under
- Nov. Huntley, Athol, Seaforth, and Middleton. These, after
4. a long negociation, accepted an act of indemnity, and disbanded their forces*.

In the mean while Cromwell in his quarters at Edinburgh laboured to unite the character of the saint with that of the conqueror; and, surrounded as he was with the splendour of victory, to surprise the world by a display of modesty and self-abasement. To his friends and flatterers, who fed his vanity by warning him to be on his guard against its suggestions, he replied, that he was but a feeble instrument in the hands of Almighty power; if God had risen in his wrath, if he had bared his arm and avenged his cause, to him, and to him alone, belonged the glory †. Assuming the office of a missionary, he exhorted his officers in daily sermons to love one another, to repent from dead works, and to pray and mourn for the blindness of their Scottish adversaries; and, pretending to avail himself of his present leisure, he provoked a theological controversy with the ministers in the castle of Edinburgh, reproaching them with pride in arrogating to themselves the right of expounding the true sense of the solemn league and covenant; vindicating the claim of laymen to preach the gospel and

Aulica, 152. It seems probable from some letters published in the correspondence of Mr. Secretary Nicholas, that Charles had planned his escape from the "villany and hypocrisy" of the party, as early as the day of the battle of Dunbar. Evelyn's Mem. v. 181—186. octavo.

* Balfour, iv. 118. 123. 129—135. 160. Baillie, ii. 356. A minister, James Guthrie, in defiance of the committee of estates, excommunicated Middleton; and such was the power of the kirk, that even when the king's party was superior, Middleton was compelled to do penance in sackcloth in the church of Dundee, before he could obtain absolution, preparatory to his taking a command in the army. Baillie, 357. Balfour, 240.

† See a number of letters in Milton's State Papers, 18—35.

exhibit their spiritual gifts for the edification of their brethren ; and maintaining that, after the solemn fasts observed by both nations, after their many and earnest appeals to the God of armies, the victory gained at Dunbar must be admitted an evident manifestation of the Divine will in favour of the English commonwealth. Finding that he made no proselytes of his opponents, he published his arguments for the instruction of the Scottish people : but his zeal did not escape suspicion ; and the more discerning believed that, under the cover of a religious controversy, he was in reality tampering with the fidelity of the governor*.

In a short time his attention was withdrawn to a more important controversy, which ultimately spread the flames of religious discord throughout the nation. There had all along existed a number of Scots who approved of the execution of the late king, and condemned even the nominal authority given to his son. Of these men, formidable by their talents, still more formidable by their fanaticism, the leaders were Wariston, the clerk register in the parliament, and Gillespie and Guthrie, two ministers in the kirk. In parliament the party, though too weak to control, was sufficiently strong to embarrass, and occasionally to influence, the proceedings ; in the kirk it formed indeed the minority, but a minority too bold and too numerous to be rashly irritated, or incautiously despised†. After the defeat at Dunbar permission was cheerfully granted by the committee of estates for a levy of troops in the associated counties of Renfrew, Air, Galloway, Wigton, and Dumfries, that part of Scotland, where fanaticism had long fermented, and the most rigid notions prevailed. The crusade was preached by Gillespie ; his efforts were successfully seconded by the other ministers, and in a short time four regiments of horse, amounting almost to five thousand men, were raised under Strachan, Kerr, and two other colonels. The real design now began to unfold itself. First, the officers refused to serve under Leslie ; and the

* Thurloe, i. 158—163.

† Baillie, ii. 353.

- parliament consented to exempt them from his authority. Next, they hinted doubts of the lawfulness of the war in which they were engaged; and Cromwell, in whose army Strachan had fought at Preston, immediately
- Oct. opened a correspondence with him *. Then came the
4. accident of "the start," which embittered and emboldened the zeal of the fanatics; and in a long remon-
17. strance, subscribed by ministers and elders, by officers and soldiers, and presented in their name to Charles and the committee of estates, they pronounced the treaty
22. with the king unlawful and sinful, disowned his interest in the quarrel with the enemy, and charged the leading men in the nation with the guilt of the war, which they had provoked by their intention of invading England. The intemperate tone and disloyal tendency of this paper, whilst it provoked irritation and alarm at Perth, induced Cromwell to advance with his army from Edinburgh to Glasgow, and Hamilton. But the western forces (so they were called) withdrew to Dumfries, where a meeting was held with Wariston, and a new draught of the remonstrance, in language still more energetic
30. and vituperative, was adopted. On the return of Cromwell to the capital, his negociation with the officers was resumed, while Argyle and his friends laboured on the opposite side to mollify the obstinacy of the fanatics.
- Nov. But reasoning was found useless; the parliament con-
25. demned the remonstrance as a scandalous and seditious
28. libel; and, since Strachan had resigned his commission, ordered Montgomery with three new regiments to take
- Dec. the command of the whole force. Kerr, however, before
1. his arrival, had led the western levy to attack Lambert in his quarters at Hamilton; he was taken prisoner, designedly if we may believe report, and his whole army was dispersed. Soon afterwards Strachan, with sixty troopers, passed over to Lambert, and the associated

* Baillie, ii. 350—352. Strachan was willing to give assurance not to molest England in the king's quarrel.—Cromwell insisted that Charles should be banished by act of parliament, or imprisoned for life. *Ib.* 352.

counties, left without defence, submitted to the enemy. Still the framers and advocates of the remonstrance, though they knew that it had been condemned by the state and the kirk, though they had no longer an army to draw the sword in its support, adhered pertinaciously to its principles; the unity of the Scottish church was rent in twain, and the separation was afterwards widened by a resolution of the assembly, that in a such crisis all Scotsmen might be employed in the service of the country*. Even their common misfortunes failed to re-
 Dec. 14.
 concile these exasperated spirits; and after the subjugation of their country, and under the yoke of civil servitude, the two parties still continued to persecute each other with all the obstinacy and bitterness of religious warfare. The royalists obtained the name of public resolutioners; their opponents, of protestors or remonstrants†.

Though it cost the young prince many an internal struggle, yet experience had taught him that he must soothe the religious prejudices of the kirk, if he hoped ever to acquire the preponderance in the state. On the 1651.
 Jan. 1.
 first day of the new year, he rode in procession to the church of Scone, where his ancestors had been accustomed to receive the Scottish crown: there on his knees, with his arm upraised, he swore by the Eternal and Almighty God to observe the two covenants; to establish the presbyterial government in Scotland and in his family; to give his assent to acts for establishing it in his other dominions; to rule according to the law of God, and the loveable laws of the land; to abolish and withstand all false religions; and to root out all heretics and enemies of the true worship of God, convicted by the true church of God. Argyle then placed the crown upon his head, and seated him on the throne,

* With the exception of persons "excommunicated, forfeited, notoriously profane, or flagitious, and professed enemies and opposers of the covenant and cause of God." Wodrow, *Introd.* iii.

† Baillie, ii. 348. 354—364. Balfour, iv. 136, 141—160, 173—178, 187, 189. Whitelock, 475, 6, 7, 484. Sydney Papers, ii. 679. Burnet's *Hamiltons*, 425.

and both nobility and people swore allegiance to him "according to the national covenant, and the solemn league and covenant." At the commencement, during the ceremony, and after the conclusion, Douglas, the minister, addressed the king, reminding him that he was king by compact with his people; that his authority was limited by the law of God, the laws of the people, and the association of the estates with him in the government; that, though every breach did not dissolve the compact, yet every abuse of power to the subversion of religion, law, or liberty, justified opposition in the people; that it was for him, by his observance of the covenant, to silence those who doubted his sincerity; that the evils which had afflicted his family arose out of the apostacy of his father and grandfather; and that, if he imitated them, he would find that the controversy between him and God was not ended, but would be productive of additional calamities. The reader may imagine what were the feelings of Charles while he listened to the admonitions of the preacher, and when he swore to perform conditions which his soul abhorred, and which he knew that on the first opportunity he should break or elude*. But he passed with credit through the ceremony; the coronation exalted him in the eyes of the people; and each day brought to him fresh accessions of influence and authority. The kirk delivered Strachan as a traitor and apostate to the devil; and the parliament forefaulted his associates, of whom several hastened to make their peace by a solemn recantation. Deprived of their support, the Campbells gradually yielded to the superior influence of the Hamiltons. Vexation, indeed, urged them to reproach the king with inconstancy and ingratitude; but Charles, while he employed every art to lull the jealousy of Argyle, steadily pursued his purpose; his friends, by submitting to the humbling ceremony of public penance,

* See "the Forme and Order of the Coronation of Charles II., as it was acted and done at Seoune, the first day of January, 1651." Aberdene, 1651.

satisfied the severity of the kirk; and by the repeal of the act of classes, they were released from all previous forfeitures and disqualifications. In April the king, with Leslie and Middleton as his lieutenants, took the command of the army, which had been raised by new levies to twenty thousand men, and, having fortified the passages of the Forth, awaited on the left bank the motions of the enemy*.

In the mean while Cromwell had obtained possession of the castle of Edinburgh through the perfidy or the timidity of the governor. Tantallon had been taken by storm, and Dunbarton had been attempted, but its defences were too strong to be carried by force, and its garrison too honest to be corrupted with money†. In February the lord general was afflicted with an ague, so ruinous to his health, and so obstinate in its duration, that in May he obtained permission to return to England, with the power of disposing, according to his judgment, of the chief command‡. A rapid and unexpected improvement induced him to remain; and in July he marched with his army towards Stirling. The Scots faced him in their intrenched camp at Torwood; he turned aside to Glasgow; they took a position at Kilsyth; he marched back to Falkirk; and they resumed their position at Torwood. While by these movements the English general occupied the attention of his opponents, a fleet of boats had been silently prepared and brought to the Queensferry; a body of men crossed the frith, and fortified a hill near Inverkeithing; and Lambert immediately followed with

* Carte, Letters, ii. 26, 27. Balfour, iv. 240, 268, 281, 301. It appears from this writer that a great number of the colonels of regiments were royalists or engagers (p. 210, 13). The six brigades of horse seem to have been divided equally between old covenanters and royalists. The seventh was not given to any general, but would be commanded by Hamilton, as the eldest colonel (Ib. 299–301). It is, therefore, plain that with the king for commander-in-chief, the royalists had the complete ascendancy.

† Balfour, iv. 229. 249. 296. Baillie, ii. 368.

‡ The council had sent two physicians to attend him. His answer to Bradshaw of March 24th, runs in his usual style. "Indeed, my lord, your service needs not me. I am a poor creature, and have been a dry bone, and am still an unprofitable servant to my master and to you." New Parl. Hist. iii. 1363.

a more numerous division. The Scots despatched Holburn with orders to drive the enemy into the sea; he July was himself charged by Lambert with a superior force, 21. and the flight of his men gave to the English possession of the fertile and populous county of Fife. Cromwell hastened to transport his army to the left bank of the river, and advance on the rear of the Scots. They retired: Perth, the seat of government, was besieged; Aug. and in a few days the colours of the Commonwealth 2. floated on its walls*.

In the Scottish leaders the progress of the English excited the most fearful anticipations; to Charles it suggested the execution of what had long been his favourite object. The country to the south was clear of the July enemy; and a proclamation to the army announced his 30. resolve of marching into England, accompanied by such of his Scottish subjects as were willing to share the fortunes and the perils of their sovereign. The boldness of the attempt dazzled the judgment of some; and the confidence of the young king dispelled the apprehensions of others. Their knowledge that, in case of failure, he must expect to meet with the same fate as his father, justified a persuasion that he possessed secret assurances of a powerful co-operation from the royalists and the presbyterians of England. Argyle (nor was it surprising after the decline of his influence at court) solicited and obtained permission to retire to his own home; a few other chieftains followed his example; the rest expressed their readiness to stake their lives on the issue of the attempt, and the next morning eleven, some say fourteen, thousand men began their march from Stirling, 31. in the direction of Carlisle†.

* Balfour, 313. Journals, May 27. Leicester's Journal, 109. Whitelock, 490. 494. 497, 8, 9. Heath, 392, 393. According to Balfour, the loss on each side was "almost alyke," about 800 men killed; according to Lambert, the Scots lost two thousand killed, and fourteen hundred taken prisoners; the English had only eight men slain: "so easy did the Lord grant them that mercy." Whitelock, 501. I observe that in all the despatches of the commanders for the Commonwealth their loss is most miraculously small.

† Leicester's Journal, 110. Whitelock, 501. Clarendon, iii. 397.

Cromwell was surprised and embarrassed. The Scots had gained three days' march in advance, and his army was unprepared to follow them at a moment's notice. He wrote to the parliament to rely on his industry and Aug despatch; he sent Lambert from Fifeshire with three 4. thousand cavalry to hang on the rear, and ordered Har- 5. rison with an equal number from Newcastle, to press on 7. the flank of the enemy; and on the seventh day led his army of ten thousand men by the eastern coast, in the direction of York. The reduction of Scotland, a more easy task after the departure of the royal forces, was left to the activity of Monk, who had five thousand infantry and cavalry under his command*.

So rapid was the advance of Charles, that he traversed the lowlands of Scotland, and the northern counties in England, without meeting a single foe. Lambert had joined Harrison near Warrington: their united forces amounted to nine thousand men; and their object was to prevent the passage of the Mersey. But they arrived 16. too late to break down the bridge; and, after a few charges, formed in battle array on Knutsford heath. The king, leaving them on the left, pushed forward till he reached Worcester, where he was solemnly proclaimed 22. by the mayor, amidst the loud acclamations of the gentlemen of the county, who, under a suspicion of their loyalty, had been confined in that city by order of the council †.

At the first news of the royal march, the leaders at Westminster abandoned themselves to despair. They believed that Cromwell had come to a private understanding with the king; that the Scots would meet with no opposition in their progress; and that the cavaliers would rise simultaneously in every part of the kingdom ‡. From these terrors they were relieved by the arrival of despatches from the general, and by the observation that

* Leicester's Journal, iii. 117. Balfour, iv. 314.

† Leicester's Journal, 113, 114. Whitelock, 502, 3. Clarendon, iii. 402.

‡ Hutchinson, 326.

- the royalists, unprepared for the event, had hitherto made no movement ; and with the revival of their hopes the council assumed a tone of defiance, which was supported by measures the most active and energetic. The declaration of Charles, containing a general pardon to
- Aug. 11. all his subjects, with the exception of Cromwell, Bradshaw, and Cook, was burnt in London by the hands of the hangman ; and a counter proclamation was published, pronouncing Charles Stuart, his aiders and abettors, guilty of high treason. All correspondence with him was forbidden under the penalty of death ; all persons known or suspected of attachment to his cause were placed in custody, or confined to their own houses ; and the militia of several counties “ tried and godly people ” were called forth, and marched towards the expected scene of action *. But Charles had to contend, not only with the activity of his enemies, but with the fanaticism of his followers. The presbyterians of Lancashire had promised to rise ; and Massey, a distinguished officer of that persuasion, was sent before to organize the levy ; but the committee of the kirk forbade him to employ any man who had not taken the covenant ; and, though Charles annulled their order, the English ministers insisted that it should be obeyed. Massey remained after the army had passed, and was joined by the earl of Derby, with sixty horse and two hundred and sixty foot, from the Isle of Man. A conference was held at Wigan ; but reasoning and entreaty were employed in vain : the ministers insisted that all the catholics who had been enrolled should be dismissed ; and that the salvation of the kingdom should be intrusted to the elect of God, who had taken the covenant. In the mean while Cromwell had despatched Colonel Lilburne, with his regiment of horse, into the county, and ordered reinforcements to join him from Yorkshire and Cheshire. Derby, with the concurrence of the royalists in Manchester, undertook to surprise Lilburne in his quarters near that town, but was

* Journals, Aug. 12.

himself surprised by Lilburne, who marched on the same day to observe the earl's motions. They met unexpectedly in the lane leading from Chorley to Wigan. The heads of the opposite columns repeatedly charged each other; but the desperate courage of the cavaliers was foiled by the steadiness and discipline of their opponents; the lord Widrington, sir Thomas Tildesly, colonel Throckmorton, Boynton, Trollop, and about sixty of their followers were slain, and above three hundred privates made prisoners. The earl himself, who had received several slight wounds on the arms and shoulders, fled to Wigan with the enemy at his heels. Observing a house open, he flung himself from his horse, and sprung into the passage. A female barred the door behind him; the pursuers were checked for an instant; and when they began to search the house, he had already escaped through the garden. Weak with fatigue and the loss of blood, he wandered in a southerly direction, concealing himself by day, and travelling by night, till he found a secure asylum in a retired mansion, called Boscobel house, situate between Brewood and Tong castle, and the property of Mrs. Cotton, a recusant and royalist. There he was received and secreted by William Penderell and his wife, the servants entrusted with the care of the mansion; and having recovered his strength, was conducted by the former to the royal army at Worcester *.

The occurrences of each day added to the disappointment of Charles and the confidence of his enemies. He had summoned by proclamation all his male subjects between the age of sixteen and sixty to join his standard at the general muster of his forces, on the 26th of August, in the Pitchcroft, the meadows between the city and the river. A few of the neighbouring gentlemen with their tenants, not two hundred in number, obeyed

* Whitelock, 503, 4. Clarendon, iii. 399. 403. Memoirs of the Stauleys, 112—114. Journals, Aug. 29. Leicester's Journal, 116. Boscobel, 6—8. Boscobel afterwards belonged to Bas. Fitzherbert, Mrs. Cotton's son-in-law

the call *; and it was found that the whole amount of his force did not exceed twelve thousand men, of whom one sixth part only was composed of Englishmen. But while a few straggling royalists thus stole into his quarters, as if it were to display by their paucity the hopelessness of his cause, the daily arrival of hostile reinforcements swelled the army in the neighbourhood to more than thirty thousand men. At length Cromwell arrived Aug. 28. and was received with enthusiasm. The royalists had broken down an arch of the bridge over the Severn at Upton; but a few soldiers passed on a beam in the night; the breach was repaired, and Lambert crossed with 10,000 men to the right bank. A succession of partial but obstinate actions alternately raised and depressed the hopes of the two parties: the grand attempt was reserved by the lord-general for his auspicious day, the 3d of September, on which twelve months before he Sept. 3. had defeated the Scots at Dunbar. On that morning Fleetwood, who had advanced from Upton to Powick, was ordered to force the passage of the Team, while Cromwell, to preserve the communication, threw a bridge of boats across the Severn at Bunshill, near the confluence of the two rivers. About one in the afternoon, while Charles with his staff observed from the tower of the cathedral the positions of the enemy, his attention was drawn by a discharge of musketry near Powick. He descended immediately, rode to the scene of action, and ordered Montgomery with a brigade of horse and foot to defend the line of the Team, and oppose the formation of the bridge. After a long and sanguinary struggle, Fleetwood effected a passage just at the moment when Cromwell, having completed the work, moved four regiments to his assist-

* They were lord Talbot, son to the earl of Shrewsbury, "with about sixty horse; Mr. Mervin Touchet, Sir John Packington, Sir Walter Blount, Sir Ralph Clare, Mr. Ralph Sheldon, of Beoly, Mr. John Washburn of Wichinford, with forty horse, Mr. Thomas Hornyhold of Blackmore-park, with forty horse, Mr. Thomas Acton, Mr. Robert Blount of Kenswick, Mr. Robert Wigmore of Lucton, Mr. F. Knotsford, Mr. Peter Blount, and divers others." Boscobel, 10.

ance. The Scots, though urged by superior numbers, maintained the most obstinate resistance; they disputed every field and hedge, repeatedly charged with the pike to check the advance of the enemy, and, animated by the shouts of the combatants on the opposite bank, sought to protract the contest with the vain hope that, by occupying the forces of Fleetwood, they might ensure the victory to their friends, who were engaged with Cromwell.

That commander, as soon as he had secured the communication across the river, ordered a battery of heavy guns to play upon Fort Royal, a work lately raised to cover the Sidbury gate of the city, and led his troops in two divisions to Perrywood and Red-hill. To Charles this seemed a favourable opportunity of defeating one half of the hostile force, while the other half was separated from it by the Severn. Leading out the whole of his disposable infantry, with the duke of Hamilton's troop of horse, and the English volunteers, he marched to attack the enemy in their position, and fought at the head of the highlanders with a spirit worthy of a prince who staked his life for the acquisition of a crown. Fortune favoured his first efforts. The militia regiments shrunk from the shock, and the guns of the enemy became the prize of the assailants. But Cromwell had placed some veteran battalions in reserve. They restored the battle; and the royalists, in their turn, began to retreat. Still they remained unbroken, availing themselves of every advantage of the ground to check the enemy, and anxiously expecting the aid of their cavalry under Leslie, which had remained in the city. From what cause it happened is unknown; but that officer did not appear on the field till the battle was lost, and the infantry, unable to resist the superior pressure of the enemy, was fleeing in confusion to the gate under the shelter of the fort. The fugitives rallied in Friar-street, and Charles, riding among them, endeavoured by his words and gestures to re-animate their courage. Instead of a reply,

they hung down their heads, or threw away their arms. "Then shoot me dead," exclaimed the distressed prince, "rather than let me live to see the sad consequences of 'this day.'" But his despair was as unavailing as had been his entreaties; and his friends admonished him to provide for his safety, for the enemy had already penetrated within the walls.

We left Flectwood on the right bank pushing the Scots slowly before him. At length they abandoned the hope of resistance; their flight opened to him the way to St. John's, and its timid commander yielded at the first summons. On the other bank, Cromwell stormed the fort, put its defenders, 1500 men, to the sword, and turned the guns upon the city. Within the walls irremediable confusion prevailed, and the enemy began to pour in by the quay, the castle hill, and the Sidbury-gate. Charles had not a moment to spare. Placing himself in the midst of the Scottish cavalry, he took the northern road by the gate of St. Martin's, while a few devoted spirits, with such troopers as dared to follow them, charged down Sidbury-street in the contrary direction*. They accomplished their purpose. The royal party cleared the walls, while *they* arrested the advance, and distracted the attention of the enemy. It was past the hour of sunset; and before dark all resistance ceased. Colonel Drummond surrendered the castle hill on conditions; the infantry in the street were killed or led prisoners to the cathedral; and the city was abandoned during the obscurity of the night to the licentious passions of the victors†.

In this disastrous battle the slain on the part of the royalists amounted to three thousand men, the taken to a still greater number. The cavalry escaped in separate

* These were the earl of Cleveland, sir James Hamilton, colonel Careless, and captains Hornyhold, Giffard, and Kemble. Boscobel, 20.

† See Blount, Boscobel, 14—22. Whitelock, 507. 8. Bates, part ii. 221. Parl. Hist. xx. 40, 44—55. Ludlow, i. 314. Nothing can be more incorrect than Clarendon's account of this battle, iii. 409. Even Cromwell owns that "it was as stiff a contest for four or five hours as ever he 'had seen.'" Parl. Hist. xx. 44.

bodies ; but so depressed was their courage, so bewildered were their counsels, that they successively surrendered to smaller parties of their pursuers. Many officers of distinction attempted, single and disguised, to steal their way through the country ; but of these the Scots were universally betrayed by their accent, whilst the English, for the most part, effected their escape *. The duke of Hamilton had been mortally wounded on the field of battle ; the earls of Derby, Rothés, Cleveland, Kelly, and Lauderdale ; the lords Sinclair, Kenmure, and Grandison ; and the generals Leslie, Massey, Middleton, and Montgomery were made prisoners, at different times and in separate places. But the most interesting inquiry regarded the fortune of the young king. Though the Sept. parliament offered a reward of 1000*l.* for his person, 10. and denounced the penalties of treason against those who should afford him shelter ; though parties of horse and foot scoured the adjacent counties in search of so valuable a prize ; though the magistrates received orders to arrest every unknown person, and to keep a strict watch on the sea-ports in their neighbourhood, yet no trace of his flight, no clue to his retreat, could be discovered. Week after week passed away ; of almost every other individual of note the fate was ascertained ; that of Charles Stuart remained an impenetrable

* Thus the duke of Buckingham was conducted by one Mathews, a carpenter, to Bilstrop, and thence to Brooksby, the seat of lady Villiers, in Leicestershire ; lord Talbot reached his father's house at Longford in time to conceal himself in a close place in one of the out-houses. His pursuers found his horse yet saddled, and searched for him during four or five days in vain. May was hidden 21 days in a hay mow, belonging to Bold, a husbandman, at Chessardine, during all which time a party of soldiers was quartered in the house. Boscobel, 35—37. Of the prisoners, eight suffered death, by judgment of a court-martial sitting at Chester. One of these was the gallant earl of Derby, who pleaded that quarter had been granted to him by captain Edge, and quarter ought to be respected by a court-martial. It was answered that quarter could be granted to enemies only, not to traitors. He offered to surrender his Isle of Man in exchange for his life, and petitioned for " his grace, the lord general's, and the parliament's mercy." But his petition was not delivered by Lenthall before it was too late. It was read in the house on the eve of his execution which took place at Bolton, in Lancashire, Oct. 15, 1651. State Trials, v. 294. Heath, 302. Leicester's Journal, 121. Journals, Oct. 14.

mystery. At last, when a belief prevailed, both among his friends and foes, that he had met with death from the peasantry, ignorant of his person and quality, the intelligence arrived, that on the 17th of October, forty-four days after the battle, he had landed in safety at Fecamp on the coast of Normandy.

The narrative of his adventures during this period of suspense and distress exhibits striking instances of hair-breadth escapes on the part of the king, and of unshaken fidelity on that of his adherents. During the night after the battle he found himself in the midst of the Scottish cavalry, a body of men too numerous to elude pursuit, and too dispirited to repel an enemy. Under cover of the darkness he separated from them with about sixty horse: the earl of Derby recommended to him, from his own experience, the house of Boscobel as a secure retreat; and Charles Giffard undertook, with the aid of his servant Yates, to conduct him to Whiteladies, another house belonging to Mrs. Cotton, and not far distant from Boscobel. At an early hour in Sept. the morning, after a ride of five-and-twenty miles, they
4. reached Whiteladies; and while the others enjoyed a short repose from their fatigue, the king withdrew to an inner apartment, to prepare himself for the character which he had been advised to assume. His hair was cut close to the head, his hands and face were discoloured, his clothes were exchanged for the coarse and thread-bare garments of a labourer, and a heavy wood-bill in his hand announced his pretended employment. At sunrise the few admitted to the secret took their leave of him with tears, and, summoning their companions on horseback, rode away, they scarcely knew whither, but with the cheering hope that they should draw the attention of the enemy from the retreat of the king to the pursuit of themselves. In less than an hour a troop of horse from Cotsal, under the command of colonel Ashenhurst, arrived at Whiteladies: but the

king was already gone; a fruitless search only provoked their impatience, and they hastily followed the track of the fugitives.

Charles was now in the hands, and entirely at the mercy, of four brothers, (John, the fifth, had taken charge of the lord Wilmot,) labouring men, of the name of Penderell, and of Yates, his former guide, who had married a sister of the Penderells. He could not conceal from himself that their poverty might make them more accessible to temptation: but Derby and Giffard had conjured him to dismiss such thoughts: they were men of tried fidelity, who, born in the domain, and bred in the principles of a loyal and catholic family, had long been successfully employed in screening priests and cavaliers from the searches of the civil magistrates and military officers*. By one of them, surnamed the trusty Richard, he was led into the thickest part of the adjoining wood, while the others posted themselves at convenient stations, to descry and announce the approach of the enemy. The day was wet and stormy; and Richard, attentive to the accommodation of his charge, who appeared sinking under the fatigue, caused by his efforts in the battle and the anxiety of his flight, spread a blanket for him under one of the largest trees, and ordered the wife of Yates to bring him the best refreshment which her house could afford. Charles was alarmed at the sight of this unexpected visitant. Recovering himself, he said, "Good woman, can you be faithful to a "distressed cavalier?" "Yes, sir," she replied, "and "I will die sooner than betray you." He was after-

* The Penderells, whom this event has introduced to the notice of the reader, were originally six brothers, born at Hobbal Grange, in the parish of Tong. John, George, and Thomas served in the armies of Charles I. Thomas was killed at Stow; the other two survived the war, and were employed as woodwards at Boscobel. Of the remaining three, William took care of the house; Humphrey worked at the mill, and Richard rented part of Hobbal Grange. After the Restoration, the five brothers waited on the king at Whitehall on the 13th of June, 1660, and were graciously received, and dismissed with a princely reward. A pension was also granted to them and their posterity, one of whom, Anne Smith Winstanley, is at the present day (1838) in the receipt of 40*l.* yearly on that account.

wards visited by Jane, the mother of the Penderells. The old woman kissed his hands, fell on her knees, and blessed God that he had chosen *her* sons to preserve, as she was confident they would, the life of their sovereign.

It had been agreed between the king and Wilmot, that each should make the best of his way to London, and inquire for the other by the name of Ashburnham, at the Three Cranes in the Vintry. By conversation with his guardian Charles was induced to adopt a different plan, and to seek an asylum among the cavaliers in Wales, till a ship could be procured for his transportation to France. About nine in the evening they left the wood together for the house of Mr. Wolf, a catholic recusant at Madeley, not far from the Severn; but an accidental alarm lengthened their road, and added to the fatigue of the royal wanderer*. They reached Madeley at midnight; Wolf was roused from his bed, and the strangers obtained admission. But their host felt no small alarm for their safety. Troops were frequently quartered upon him; two companies of militia actually kept watch in the village, and the places of concealment in his house had been recently discovered.

Sept. 5. As the approach of daylight made it equally dangerous to proceed or turn back, he secreted them behind the hay in an adjoining barn, and despatched messengers to examine the passages of the river. Their report that all the bridges were guarded, and all the boats secured, compelled the unfortunate prince to abandon his design. On the return of darkness he placed himself again under the care of his trusty guide, and with a heavy and misboding heart, retraced his steps towards his original destination, the house at Boscobel.

At Boscobel he found colonel Careless, one of those

* The mill at Evelyn was filled with fugitives from the battle: the miller, espying Charles and his guide, and afraid of a discovery, called out "rogues;" and they, supposing him an enemy, turned up a miry lane, running at their utmost speed. Boscobel, 47. Account from the Pepys MS. p. 16.

devoted adherents who, to aid his escape from Worcester, had charged the enemy at the opposite gate. Careless had often provoked, and as often eluded, the resentment of the roundheads; and experience had made him acquainted with every loyal man, and every place of ^{Sept.} concealment, in the country. By his persuasion Charles ^{6.} consented to pass the day with him amidst the branches of an old and lofty oak *. This celebrated tree, which was afterwards destroyed to satisfy the veneration of the cavaliers, grew near to the common path in a meadow-field, which lay in the centre of the wood. It had been partially lopped a few years before, and the new shoots had thrown round it a thick and luxuriant foliage. Within this cover the king and his companion passed the day. Invisible themselves, they occasionally caught a glimpse of the red-coats (so the soldiers were called) passing among the trees, and sometimes saw them looking into the meadow. Their friends, William Penderell and his wife, whom Charles called my dame Joan, stationed themselves near, to give warning of danger; he pretending to be employed in his duty as woodward, and she in the labour of gathering sticks for fuel. But there arose no cause of immediate alarm; the darkness of the night relieved them from their tedious and irksome confinement; and Charles, having on his return to the house examined the hiding place, resolved to trust to it for his future security †.

The next day, Sunday, he spent within doors or in the

* This day Humphrey Penderell, the miller, went to Skefnal to pay taxes, but in reality to learn news. He was taken before a military officer, who knew that Charles had been at Whiteladies, and tempted, with threats and promises, to discover where the king was; but nothing could be extracted from him, and he was allowed to return. Boscobel, 55. This, I suspect, to be the true story: but Charles himself, when he mentions the proposal made to Humphrey, attributes it to a man, at whose house he had changed his clothes. Account from the Pepys MS. p. 9.

† Careless found means to reach London, and cross the sea to Holland, where he carried the first news of the king's escape to the princess of Orange. Charles gave him for his coat of arms, by the name of Carlos, an oak in a field, or, with a fesse, gules, charged with three royal crowns, and for his crest a crown of oak leaves, with a sword and sceptre, crossed saltierwise. Boscobel, 85.

Sept. garden. But his thoughts brooded over his forlorn and
7. desperate condition ; and the gloom on his countenance betrayed the uneasiness of his mind. Fortunately in the afternoon he received by John Penderell a welcome message from lord Wilmot, to meet him that night at the house of Mr. Whitgrave, a recusant, at Moseley. The king's feet were so swollen and blistered by his recent walk to and from Madeley, that he gladly accepted the offer of Humphrey's horse from the mill ; nor did the appearance of the monarch disgrace that of the steed. He wore a coat and breeches of coarse green cloth, both so threadbare that in many places they appeared white, and the latter "so long that they came "down to the garter;" his doublet was of leather, old and soiled ; his shoes were heavy and slashed for the ease of his feet ; his stockings of green yarn had been much worn, were darned at the knees, and without feet : and an old gray steeple-crowned hat, without band or lining, with a crooked thorn stick, completed the royal habiliments. The six brothers attended him with arms : two kept in advance, two followed behind, and one walked on each side. He had not gone far before he complained to Humphrey of the heavy jolting pace of the horse. "My liege," replied the miller, "you do "not recollect that he carries the weight of three king-
"doms on his back."

At Moseley, cheered by the company of Wilmot, and
8. the attention of Whitgrave, and his chaplain, Mr. Hudleston*, he recovered his spirits, fought the battle of Worcester over again, and declared that, if he could find a few thousand men who had the courage to stand by him, he would not hesitate to meet his enemies a second time in the field. A new plan of escape was now sub-

* Mr. Whitgrave had served as lieutenant, Hudleston as gentleman volunteer in the armies of Charles I. The latter was of the family at Hutton John, in Cumberland. Leaving the service, he took orders, and was at this time a secular priest, living with Mr. Whitgrave. He afterwards became a Benedictine monk, and was appointed one of the queen's chaplains.

mitted to his approbation. The daughter of colonel Lane of Bentley had obtained from the governor of Stafford a pass to visit Mrs. Norton, a relation near Bristol. Charles consented to assume the character of her servant, and Wilmot departed on the following night to make arrangements for his reception. In the meantime, to guard against a surprise, Hudlestone constantly attended the king; Whitgrave occasionally left the house to observe what passed in the street; and sir John Preston, and two other boys, the pupils of Hudlestone, were stationed as sentinels at the garret windows*. But the danger of discovery increased every hour. The confession of a cornet, who had accompanied him, and was afterwards made prisoner, divulged the fact that Charles had been left at Whiteladies; and the hope of reward stimulated the parliamentary officers to new and more active exertions. The house at Boscobel, on the day after the king's departure, was successively visited by two parties of the enemy; the next morning a second and more rigorous search was made at Whiteladies; and in the afternoon the arrival of a troop of horse alarmed the inhabitants of Moseley. As Charles, Whitgrave, and Hudlestone, were standing near a window, they observed a neighbour run hastily into the house, and in an instant heard the shout of "soldiers, soldiers!" from the foot of the staircase. The king was immediately shut up in the secret place; all the other doors were thrown open; and Whitgrave descending, met the troopers in front of his house. They seized him as a fugitive cavalier from Worcester; but he convinced them by the testimony of his neighbours, that for several weeks he had not quitted Moseley, and with much difficulty prevailed on them to depart without searching the house.

Sept.
9.

That night Charles proceeded to Bentley. It took but little time to transform the wood-cutter into a do-

* Though ignorant of the quality of the stranger, the boys amused the king by calling themselves his life-guard. Boscobel, 78.

mestic servant, and to exchange his dress of green jump
Sept. for a more decent suit of gray cloth. He departed on
11. horseback with his supposed mistress behind him,
14. accompanied by her cousin, Mr. Lassells; and,
after a journey of three days, reached Abbotsleigh,
Mr. Norton's house, without interruption or danger.
Wilmot stopped at sir John Winter's, a place in the
neighbourhood. On the road, he had occasionally joined
the royal party, as if it were by accident: more generally
he preceded or followed them at a short distance. He
rode with a hawk on his fist, and dogs by his side; and
the boldness of his manner as effectually screened him
from discovery as the most skilful disguise.

The king, on his arrival, was indulged with a separate
15. chamber, under pretence of indisposition; but the next
morning he found himself in the company of two per-
sons, of whom one had been a private in his regiment of
guards at Worcester, the other a servant in the palace
at Richmond, when Charles lived there several years
before. The first did not recognise him, though he pre-
tended to give a description of his person; the other,
the moment the king uncovered, recollected the features
of the prince, and communicated his suspicions to Las-
sells. Charles, with great judgment sent for him, dis-
covered himself to him as to an old acquaintance, and re-
quired his assistance. The man, (he was butler to the
family,) felt himself honoured by the royal confidence,
and endeavoured to repay it by his services. He re-
moved to a distance from the king two individuals in the
house of known republican principles; he inquired,
though without success, for a ship at Bristol to carry
17 him to France or Spain; and he introduced lord Wilmot
to his chamber at the hour of midnight. There they
sate in council, and resolved that the king should remove
the next day to the house of colonel Windham, a cavalier
whom he knew, at Trent near Sherburn; that a mes-
senger should be despatched to prepare the family for
his arrival; and that to account for the sudden depar-

ture of Miss Lane, a counterfeit letter should be delivered to her, stating that her father was lying at the point of death. The plan succeeded: she was suffered to depart, and in two days the prince reached his destination. The following morning Miss Lane took her leave, and hastened back with Lassells to Bentley*.

Sent.
18.
19.
20.

In his retirement at Trent, Charles began to indulge the hope of a speedy liberation from danger. A ship was hired at Lyme to convey a nobleman and his servant (Wilmot and the king) to the coast of France; the hour and the place of embarkation were fixed; and a widow, who kept a small inn at Charmouth, consented to furnish a temporary asylum to a gentleman in disguise, and a young female who had just escaped from the custody of a harsh and unfeeling guardian. The next evening Charles appeared in a servant's dress, with Juliana Coningsby riding behind him, and accompanied by Wilmot and Windham. The hostess received the supposed lovers with a hearty welcome; but their patience was soon put to the severest trial: the night passed away, no boat entered the creek, no ship could be descried in the offing; and the disappointment gave birth to a thousand jealousies and apprehensions. At dawn of day the whole party separated; Wilmot, with a servant, going to Lyme to inquire after the master of the vessel; Charles, with his companions, proceeding to Bridport to wait the return of Wilmot. In Bridport he found fifteen hundred soldiers preparing to embark on an expedition against Jersey; but, unwilling to create a real, by seeking to eschew an imaginary, danger, he boldly pushed forward to the inn, and led the horses through the crowd with a rudeness which provoked complaint. But a new danger awaited him at the stable. The hostler challenged him as an old acquaintance, pretending to have known him in the service of Mr. Potter, at Exeter. The fact was that, during the civil

23.

24.

* This lady received a reward of 1000*l.* for her services, by order of the two houses. (C. Journals, 1660, Dec. 19. 21.)

war, Charles had lodged at that gentleman's house. He turned aside to conceal his alarm; but had sufficient presence of mind to avail himself of the partial mistake of the hostler, and to reply, "True, I once lived a servant with Mr. Potter; but as I have no leisure now, we will renew our acquaintance on my return to London over a pot of beer."

After dinner, the royal party joined Wilmot out of the town. The master of the ship had been detained at home by the fears and remonstrances of his wife, and no promises could induce him to renew his engagement. Confounded and dispirited, Charles retracted his steps to Trent: new plans were followed by new disappointments; a second ship, provided by colonel Philips at Sept. 25. Southampton, was seized for the transportation of troops to Jersey; and mysterious rumours in the neighbourhood rendered unsafe the king's continuance at colonel Windham's *. At Heale, the residence of the widow Hyde, Oct. 8. near Salisbury, he found a more secure retreat in a hiding place for five days, during which colonel Gunter, 14. through the agency of Mansel, a loyal merchant, engaged 15. a collier lying at New Shoreham. Charles hastened through Hambleton to Brighton, where he sate down to supper with Philips, Gunter, Mansel, and Tattershall, the master of the vessel. At table, Tattershall kept his eyes fixed on the king; after supper he called Mansel aside and complained of fraud. The person in gray was the king: he knew him well, having been detained by him in the river, when, as prince of Wales, he commanded the royal fleet in 1648. This information was speedily communicated to Charles, who took no notice of it to Tattershall; but, to make sure of his man, contrived to keep the party drinking and smoking round the table during the rest of the night.

Before his departure, while he was standing alone in a room, the landlord entered, and, going behind him,

* A reward of 1000*l.* was afterwards given to Windham. (C. Journals, Dec. 17, 1660.)

kissed his hand, which rested on the back of a chair, saying at the same time, "I have no doubt that, if I live, I shall be a lord, and my wife a lady." Charles laughed, to show that he understood his meaning, and joined the company in the other apartment. At four in the morning they all proceeded to Shoreham: on the beach his other attendants took their leave, Wilmot accompanied him into the bark. There Tattershall, falling on his knee, solemnly assured him that, whatever might be the consequence, he would put him safely on the coast of France. The ship floated with the tide, and stood with easy sail towards the Isle of Wight, as if she were on her way to Deal, to which port she was bound. But at five in the afternoon, Charles, as he had previously concerted with Tattershall, addressed the crew. He told them that he and his companion were merchants in distress, flying from their creditors; desired them to join him in requesting the master to run for the French coast; and, as a further argument, gave them twenty shillings to drink. Tattershall made many objections; but, at last, with apparent reluctance, took the helm, and steered across the Channel. At day-break they saw 17. before them the small town of Fecamp, at the distance of two miles; but the tide ebbing, they cast anchor, and soon afterwards descried to leeward a suspicious sail, which, by her manner of working, the king feared, and the master believed, to be a privateer from Ostend. She afterwards proved to be a French hoy; but Charles waited not to ascertain the fact; the boat was instantly lowered, and the two adventurers were rowed safely into the harbour*.

Oct.
16

* For the history of the king's escape, see Blount's *Boscobel*, with *Clastrum Regale Reseratum*: the *Whitegrave Manuscript*, printed in the *Retrospective Review*, xiv. 26. Father *Hudleston's Relation*; the *True Narrative and Relation* in the *Harleian Miscellany*, iv. 441, an account of his majesty's escape from Worcester, dictated to Mr. Pepys by the king himself, and the narrative given by Bates in the Second part of his *Elenchus*. In addition to these, we have a narrative by Clarendon, who professes to have derived his information from Charles and the other actors in the transaction, and asserts that "it is exactly true; that there is nothing in it, the verity whereof can justly be suspected." *Car. Hist.* ii

The king's deliverance was a subject of joy to the nations of Europe, among whom the horror excited by the death of the father had given popularity to the exertions of the son. In his expedition into England they had followed him with wishes for his success; after his defeat at Worcester they were agitated with apprehensions for his safety. He had now eluded the hunters of his life: he appeared before them with fresh claims on their sympathy, from the spirit which he had displayed in the field, and the address with which he had extricated himself from danger. His adventures were listened to with interest; and his conduct was made the theme of general praise. That he should be the heir to the British crowns, was the mere accident of birth; that he was worthy to wear them, he owed to the resources and energies of his own mind. In a few months, however, the delusion vanished. Charles had borne the blossoms of promise; they were blasted under the withering influence of pleasure and dissipation.

But from the fugitive prince we must now turn back to the victorious general who proceeded from the field of battle in triumph to London. The parliament seemed at a loss to express its gratitude to the man, to whose splendid services the commonwealth owed its preservation. At Aylesbury Cromwell was met by a deputation of the two commissioners of the great seal, the lord chief justice, and sir Gilbert Pickering; to each of whom, in token of his satisfaction, he made a present of a horse and of two Scotsmen selected from his prisoners. At Acton he was received by the speaker and the lord president, attended by members of parliament and of the council, and by the lord mayor with the aldermen and sheriffs; and heard from the recorder, in an address of congratulation, that he was destined "to bind kings

427, 8.) Yet, whoever will compare it with the other accounts will see that much of great interest has been omitted, and much so disfigured as to bear little resemblance to the truth. It must be that the historian, writing in banishment, and at a great distance of time, trusted to his imagination to supply the defect of his memory. See Note (F).

“in chains, and their nobles in fetters of iron.” He entered the capital in the state carriage, was greeted with the acclamations of the people as the procession passed through the city, and repaired to the palace of Hampton Court, where apartments had been fitted up for him and his family at the public expense. In parliament it was proposed that the third of September should be kept a holiday for ever in memory of his victory; a day was appointed for a general thanksgiving; and in addition to a former grant of lands to the amount of 2500*l.* per annum, other lands of the value of 4000*l.* were settled on him in proof of the national gratitude. Cromwell received these honours with an air of profound humility. He was aware of the necessity of covering the workings of ambition within his breast with the veil of exterior self-abasement; and therefore professed to take no merit to himself, and to see nothing in what he had done, but the hand of the Almighty fighting in behalf of his faithful servants*.

* Whitelock, 509. Ludlow, i. 372. Heath, 301. Journals, Sep. 6. 9. 11. 19. “Next day 13th the common prisoners were brought through Westminster to Tuthill fields—a sadder spectacle was never seen except the “miserable place of their defeat—and there sold to several merchants and “sent to the Barbadoes.” Heath, 301. Fifteen hundred were granted as slaves to the Guinea merchants, and transported to the Gold coast in Africa! Parl. Hist. iii. 1374.

CHAPTER VI.

THE COMMONWEALTH.

I. Vigilance of the Government—II. Subjugation of Ireland—III. Of Scotland—IV. Negociation with Portugal—V. With Spain—VI. With the United Provinces—Naval War—Ambition of Cromwell—Expulsion of Parliament—Character of its leading members—Some of its Enactments.

IN the preceding chapter we have followed the fortunes of Charles Stuart, from his landing in Scotland to his defeat at Worcester and his escape to the continent: we may now direct our attention to some of the more important events which occurred during the same period, in England and Ireland.

1°. The reader is aware that the form of government established in England was an oligarchy. A few individuals, under the cover of a nominal parliament, ruled the kingdom with the power of the sword. Could the sense of the nation have been collected, there cannot be a doubt that the old royalists of the cavalier, and the new royalists of the presbyterian party, would have formed a decided majority; but they were awed into silence and submission by the presence of a standing army of forty-five thousand men; and the maxim that "power gives right" was held out as a sufficient reason why they should swear fidelity to the Commonwealth*. This numerous army, the real source of their security,

* See Marchamont Nedham's "Case of the Commonwealth Stated." 4to. London, 1650.

proved, however, a cause of constant solicitude to the leaders. The pay of the officers and men was always in arrear; the debentures which they received could be seldom exchanged for money without a loss of fifty, sixty, or seventy per cent.; and the plea of necessity was accepted as an excuse for the illegal claim of free quarters which they frequently exercised. To supply their wants recourse was therefore had to additional taxation, with occasional grants from the excise, and large sales of forfeited property*; and, to appease the discontent of the people, promises were repeatedly made, that a considerable portion of the armed force should be disbanded, and the practice of free quarter be abolished. But of these promises, the first proved a mere delusion; for, though some partial reductions were made, on the whole the amount of the army continued to increase: the second was fulfilled; but in return, the burthen of taxation was augmented; for the monthly assessment on the counties gradually swelled from sixty to ninety, to one hundred and twenty, and in conclusion, to one hundred and sixty thousand pounds†.

Another subject of disquietude sprung out of those principles of liberty which, even after the suppression of the late mutiny, were secretly cherished, and occasionally avowed, by the soldiery. Many, indeed, confided in the patriotism, and submitted to the judgment, of their officers; but there were also many who condemned the existing government as a desertion of the good cause in which they had originally embarked. By the latter Lilburne was revered as an apostle and a martyr: they read with avidity the publications which repeatedly issued from his cell; and they condemned as persecutors and tyrants the men who had immured him and his companions in the Tower. Preparations had been made to bring them to trial as the authors of the late mutiny: April 11.

* Journals, 1649, Ap. 18; Oct. 4. 1650, March 30, 1651, Sep. 2; Dec. 17. 1652, Ap. 7.

† Journals, 1649, Ap. 7; Aug 1; Dec. 7. 1650, May 21; Nov. 26. 1651, Ap. 15; Sep. 1; Dec. 19. 1652; Dec. 10. 1653, Nov. 24.

- May but, on more mature deliberation, the project was abandoned, and an act was passed making it treason to assert that the government was tyrannical, usurped, or unlawful. No enactments, however, could check the hostility of Lilburne: and a new pamphlet from his pen, in
 12. vindication of "The Legal Fundamental Liberties of the People," put to the test the resolution of his opponents. They shrunk from the struggle: it was judged more prudent to forgive, or more dignified to despise, his efforts; and, on his petition for leave to visit his sick family, he obtained his discharge*.
- June 8. But this lenity made no impression on his mind. In the course of six weeks he published two more offensive tracts, and distributed them among the soldiery. A new mutiny broke out at Oxford: its speedy suppression emboldened the council; the demagogue was reconducted to his cell in the Tower; and Keble, with forty other commissioners, was appointed to try him for his last
 14. offence on the recent statute of treasons. It may, perhaps, be deemed a weakness in Lilburne that he now offered on certain conditions to transport himself to America: but he redeemed his character, as soon as he was placed at the bar. He repelled with scorn the charges of the prosecutors and the taunts of the court, electrified the audience by frequent appeals to Magna Charta and the liberties of Englishmen, and stoutly maintained the doctrine that the jury had a right to judge of the law as well as of the fact. It was in vain that the court pronounced this opinion "the most damnable heresy ever broached in the land," and that the government employed all its influence to win or intimidate the jurors: after a trial of three days Lilburne obtained a verdict of acquittal †.
- Oct. 25. Whether after his liberation any secret compromise took place is uncertain. He subscribed the engagement,
 Dec. 29.

* Journals, 1649, April 11; May 12; July 18. Council Book. May 2. Whitelock, 414.

† Journals, 1649, Sep. 11; Oct. 30. Whitelock 424, 5. State Trials, ii. 151.

explaining it in a sense conformable to his own principles; 1650. and the parliament voted him a considerable sum in re-^{July}paration of his sufferings in the star-chamber*. But two^{30.} years later he had the imprudence to distribute a petition^{1652.} from Josiah Primate, charging Sir Arthur Hazlerig and^{Jan.} the commissioners at Haberdashers'-hall with injustice^{16.} and tyranny. This by the house was voted a breach of privilege, and the offender was condemned in a fine of 7000*l.* with banishment for life. Probably the court of star-chamber never pronounced a judgment in which the punishment was more disproportionate to the offence. But his former enemies sought not justice on the culprit, but security to themselves. They seized the opportunity of freeing the government from the presence of a man whom they had so long feared; and, as he refused to kneel at the bar while judgment was pronounced, they embodied the resolution in an act of parliament. To save his life Lilburne submitted; but his residence on 20 the continent was short: the reader will soon meet with him again in England †.

The levellers had boldly avowed their object; the royalists worked in the dark and by stealth: yet the council by its vigilance and promptitude proved a match for the open hostility of the one, and the secret machinations of the other. A doubt may, indeed, be raised of the policy of the "engagement," a promise of fidelity to the commonwealth without king or house of lords. As long as it was confined to those who held office under the government, it remained a mere question of choice; but when it was exacted from all Englishmen above seventeen years of age, under the penalty of incapacity to maintain an action in any court of law, it became to numbers a matter of necessity, and served rather to irritate than to produce security‡. A more efficient

* Whitelock, 436. Journ. 1650, July 16, 30.

† Journals, 1651, Dec. 23. 1652, Jan. 15, 20, 30. Whitelock, 520. State Trials, v. 407—415.

‡ Leicester's Journal, 97—101.

measure was the permanent establishment of a high court of justice to enquire into offences against the state, to which was added the organization of a system of espionage by captain Bishop, under the direction of Scot, a member of the council. The friends of monarchy, encouraged by the clamour of the levellers and the professions of the Scots, had begun to hold meetings, sometimes under the pretence of religious worship, sometimes under that of country amusements: in a short time they divided the kingdom into districts called associations, in each of which it was supposed that a certain number of armed men might be raised; and blank commissions with the royal signature were obtained, to be used in appointing colonels, captains, and lieutenants, for the command of these forces. Then followed an active correspondence both with Charles after his arrival in Scotland, and with the earl of Newcastle, the lord Hopton, and a council of exiles, first at Utrecht, and afterwards at the Hague. By the plan ultimately adopted, it was proposed that Charles himself or Massey, leaving a sufficient force to occupy the English army in Scotland, should, with a strong Dec. corps of cavalry, cross the borders between the kingdoms; that at the same time the royalists in the several associations should rise in arms, and that the exiles in Holland, with five thousand English and German adventurers, should land in Kent, surprise Dover, and hasten to join their presbyterian associates in the capital*. But, to arrange and ensure the co-operation of all the parties concerned required the employment of numerous agents, of whom, if several were actuated by principle, many were of doubtful faith and desperate fortunes. Some of these betrayed their trust; some undertook to serve both parties, and deceived each; and it is a curious fact that, while the letters of the agents for the royalists often passed through the hands of Bishop himself, his secret papers belonging to the council of state were copied and

* Milton's State Papers, 35, 37, 39, 47, 49, 50. Baillie, ii. 348. Carte's Letters, i. 414.

forwarded to the king *. This consequence however followed, that the plans of the royalists were always discovered, and by that means defeated by the precautions of the council. While the king was on his way to Scotland, a number of blank commissions had been seized in the possession of Dr. Lewen, a civilian, who suffered the penalty of death. Soon afterwards sir John Gell, colonel Eusebius Andrews, and captain Benson, were arraigned on the charge of conspiring the destruction of the government established by law. They opposed three objections to the jurisdiction of the court. It was contrary to Magna Charta, which gave to every freeman the right of being tried by his peers; contrary to the petition of right, by which courts-martial (and the present court was most certainly a court-martial) had been forbidden; and contrary to the many declarations of parliament, that the laws, the rights of the people, and the courts of justice, should be maintained. But the court repelled the objections; Andrews and Benson suffered death, and Gell, who had not been an accomplice, but only cognisant of the plot, was condemned to perpetual imprisonment, with the forfeiture of his property †.

July 13.

Aug 22.

Oct 7.

These executions did not repress the eagerness of the royalists, nor relax the vigilance of the council. In the beginning of December the friends of Charles took up arms in Norfolk, but the rising was premature; a body of roundheads dispersed the insurgents; and twenty of the latter atoned for their temerity with their lives. Still the failure of one plot did not prevent the formation of another: as long as Charles Stuart was in Scotland, the ancient friends of his family secretly prepared for his reception in England; and many of the presbyterians, through enmity to the principles of the independents, de-

1650. Dec. 2.

* State Trials, v. 4. Milton's State Papers, 39, 47, 50, 57. One of these agents employed by both parties was a Mrs. Walters, alias Hamlin, on whose services Bishop placed great reliance. She was to introduce herself to Cromwell by pronouncing the word "prosperity." Ibid.

† Whilelock, 464, 468, 473, 474. Heath, 269, 270. See mention of several discoveries in Carte's Letters, i. 443, 464, 472.

voted themselves to the interests of the prince*. This party the council resolved to attack in their chief bul-
 1651. May wark, the city; and Love, one of the most celebrated of
 7. the ministers, was apprehended with several of his asso-
 June ciates. At his trial, he sought to save his life by an
 '15. evasive protestation, which he uttered with the most im-
 posing solemnity in the presence of the Almighty. But
 it was clearly proved against him that the meetings had
 been held in his house, the money collected for the roy-
 alists had been placed on his table, and the letters re-
 ceived, and the answers to be returned, had been read in
 5. his hearing. After judgment, both he and his friends
 11. presented petitions in his favour; respite after respite
 July was obtained; and the parliament, as if it had feared to
 15. decide without instructions, referred the case to Cromwell
 in Scotland. That general was instantly assailed with
 letters from both the friends and the foes of Love: he
 was silent: a longer time was granted by the house; but
 he returned no answer; and the unfortunate minister
 lost his head on Tower-hill with the constancy and se-
 Aug. renity of a martyr. Of his associates, only one, Gibbons,
 22. a citizen, shared his fate †.

2°. To Charles it had been whispered by his secret advisers that the war between the parliament and the Scots would, by withdrawing the attention of the council from Ireland, allow the royal party to resume the ascendancy in that kingdom. But this hope quickly vanished. The resources of the commonwealth were seen to multiply with its wants; and its army in Ireland was daily augmented by recruits in the island, and by reinforcements from England. Ireton, to whom Cromwell, with

* "It is plaine unto mee that they doe not judge us a lawfull magistracy, nor esteeme anything treason that is acted by them to destroy us, in order to bring the king of Scots as heed of the covenant." Vane to Cromwell of "Love and his brethren." Milton's S. p. 84.

† Milton's State Papers, 50, 54, 66, 75, 76. Whitelock 492, 3, 5, 500. State Trials, v. 43—294. Heath, 288, 290. Leicester's Journal, 107. 115. 123. A report, probably unfounded, was spread that Cromwell granted him his life, but the despatch was waylaid, and detained or destroyed by the cavaliers, who bore in remembrance Love's former hostility to the royal cause. Kennet, 185.

the title of lord deputy, had left the chief command, pursued with little interruption the career of his victorious predecessor. Sir Charles Coote met the men of Ulster at Letterkenny: after a long and sanguinary action they were defeated; and the next day their leader, the warrior bishop of Clogher, was made prisoner by a fresh corps of troops from Inniskilling*. Lady Fitzgerald, a name as illustrious in the military annals of Ireland as that of lady Derby in those of England, defended the fortress of Trecoghan, but neither the efforts of sir Robert Talbot within, nor the gallant attempt of lord Castlehaven without, could prevent its surrender†. Waterford, Carlow, and Charlemont, accepted honourable conditions, and the garrison of Duncannon, reduced to a handful of men by the ravages of the plague, opened its gates to the enemy‡. Ormond, instead of facing the conquerors in the field, had been engaged in a long and irritating controversy with those of the catholic leaders who distrusted his integrity, and with the townsmen of Limerick and Galway, who refused to admit his troops within their walls. Misfortune had put an end to his authority; his enemies remarked that, whether he were a real friend or a secret foe, the cause of the confederates had never prospered under his guidance; and the bishops conjured him, now that the very existence of the nation was at stake, to adopt measures which might heal the public dissensions, and unite all true Irishmen in the common defence. Since the loss of Munster by the defection of Inchiquin's forces, they had entertained an incurable distrust of their English allies; and to appease their jealousy, he dismissed the few Englishmen who yet remained in the service. Finding them rise in their de-

1650.
June
18.

25.

Aug.
20.Mar.
28.

* Though he had quarter given and life promised, Coote ordered him to be hanged. Yet it was by Mac Mahon's persuasion that O'Neil in the preceding year had saved Coote by raising the siege of Londonderry. (Clarendon, Short View, &c., in vol. viii. 145—149.) But Coote conducted the war like a savage. See several instances at the end of Lynch's *Cambresis Eversus*.

† See Castlehaven's *Memoirs*, 120—124; and Carte's *Ormond*, ii. 116.

‡ Heath 267. 270. Whitelock, 457. 9. 463, 4. 9.

mands, he called a general assembly at Loughrea, announced his intention, or pretended intention, of quitting the kingdom; and then, at the general request, and after some demur, consented to remain. Hitherto the Irish had cherished the expectation that the young monarch would, as he had repeatedly promised, come to Ireland, and take the reins of government into his hands; they now, to their disappointment, learned that he had accepted the invitation of the Scots, their sworn and inveterate enemies. In a short time, the conditions to which he had subscribed began to transpire: that he had engaged to annul the late pacification between Ormond and the catholics, and had bound himself by oath, not only not to permit the exercise of the catholic worship, but to root out the catholic religion wherever it existed in any of his dominions. A general gloom and despondency prevailed; ten bishops and ten clergymen assembled at James-town, and their first resolve was, to depute two of their number to the lord-lieutenant, to request that he would put in execution his former design of quitting the kingdom, and would leave his authority in the hands of a catholic deputy possessing the confidence of the nation. Without, however, waiting for his answer, they proceeded to frame a declaration, in which they charged Ormond with negligence, incapacity, and perfidy; protested that, though they were compelled by the great duty of self-preservation to withdraw from the government of the king's lieutenant, they had no intention to derogate from the royal authority; and pronounced that, in the existing circumstances, the Irish people were no longer bound by the articles of the pacification, but by the oath under which they had formerly associated for their common protection. To this, the next day they appended a form of excommunication equally affecting all persons who should abet either Ormond or Ireton, in opposition to the real interests of the catholic confederacy*.

* Ponce, *Vindiciæ Eversæ*, 236—257. Clarendon, viii. 151, 154, 156. *Hibernia Dominicana*, 691. Carte, ii. 118. 120. 123.

The lord-lieutenant, however, found that he was supported by some of the prelates, and by most of the aristocracy. He replied to the synod at James town, that nothing short of necessity should induce him to quit Ireland without the order of the king; and the commissioners of trust expostulated with the bishops on their imprudence and presumption. But at this moment arrived copies of the declaration which Charles had been compelled to publish at Dunfermling, in Scotland. The whole population was in a ferment. Their suspicions, they exclaimed, were now verified; their fears and predictions accomplished. The king had pronounced them a race of "bloody rebels;" he had disowned them for his subjects, he had annulled the articles of pacification, and had declared to the whole world that he would ex-terminate their religion. In this excited temper of mind, the committee appointed by the bishops published both the declaration and the excommunication. A single night intervened; their passions had leisure to cool; they repented of their precipitancy; and, by the advice of the prelates in the town of Galway, they published a third paper, suspending the effect of the other two.

Ormond's first expedient was to pronounce the Dunfermling declaration a forgery; for the king from Breda, previously to his voyage to Scotland, had solemnly assured him that he would never, for any earthly consideration, violate the pacification. A second message informed him that it was genuine, but ought to be considered of no force, as far as it concerned Ireland, because it had been issued without the advice of the Irish privy council*. This communication encouraged the lord-

* Carte's Letters, i. 391. Charles's counsellors at Breda had instilled into him principles which he seems afterwards to have cherished through life: "that honour and conscience were huggears, and that the king ought to govern himself rather by the rules of prudence and necessity." Ibid. Nicholas to Ormond, 435. At first Charles agreed to find some way "how he might with honour and justice break the peace with the Irish, if "a free parliament in Scotland should think it fitting" afterwards "to break it, but on condition that it should not be published till he had acquainted Ormond and his friends, secured them, and been instructed

Oct.
23.

lieutenant to assume a bolder tone. He professed himself ready to assert, that both the king and his officers on one part, and the catholic population on the other, were bound by the provisions of the treaty; but he previously required that the commissioners of trust should condemn the proceedings of the synod at Jamestown, and join with him in punishing such of its members as should persist in their disobedience. They made proposals to the prelates, and received for answer, that protection and obedience were correlative; and, therefore, since the king had publicly excluded them, under the designation of "bloody rebels," from his protection, they could not understand how any officer acting by his authority could lay claim to their obedience*.

29.

This answer convinced Ormond that it was time for him to leave Ireland; but, before his departure, he called a general assembly, and selected the marquess of Clanricard, a catholic nobleman, to command as his deputy. To Clanricard, whose health was infirm, and whose habits were domestic, nothing could be more unwelcome than such an appointment. Wherever he cast his eyes he was appalled by the prospect before him. He saw three-fourths of Ireland in the possession of a restless and victorious enemy; Connaught and Clare, which alone remained to the royalists, were depopulated by famine and pestilence; and political and religious dissension divided the leaders and their followers, while one party attributed the national disasters to the temerity of the men who presumed to govern under the curse of excommunication; and the other charged their opponents with concealing disloyal and interested views under the mantle of patriotism and religion. Every

"how with honour and justice he might break it in regard of the breach "on their part." P. 396, 397. Yet a little before he had resolutely declared that no consideration should induce him to violate the same peace. P. 374, 379. On his application afterwards for aid to the pope he excused it, saying, "*fuisse vim manifestam; jam enim statuerant Scoti Presbyterani personam suam Parlamento Anglicano tradere, si illam declarationem ab ipsis factam non approbasset.*" *Ex originali penes me.*

* Pounce, 257—261.

prospect of successful resistance was gone; the Shannon, their present protection from the foe, would become fordable in the spring; and then the last asylum of Irish independence must be overrun*. Under such discouraging circumstances it required all the authority of Ormond and Castlehaven to induce him to accept an office which opened no prospect of emolument or glory, but promised a plentiful harvest of contradiction, hardship, and danger.

In the assembly which was held at Loughrea, the Nov. majority of the members disapproved of the conduct 25. of the synod, but sought rather to heal by conciliation, than to perpetuate dissension. Ormond, having Dec. written a vindication of his conduct, and received an 2. answer consoling, if not perfectly satisfactory to his 7. feelings, sailed from Galway; but Clanricard obstinately refused to enter on the exercise of his office, till reparation had been made to the royal authority for the insult offered to it by the Jamestown declaration. He required an acknowledgment, that it was not in the power of any body of men to discharge the people from their obedience to the lord-deputy, as long as the royal authority was vested in him; and at length obtained a declaration 24. to that effect, but with a protestation, that by it "the confederates did not waive their right to the faithful observance of the articles of pacification, nor bind themselves to obey every chief governor who might be unduly nominated by the king, during his unfree condition among the Scots†."

Aware of the benefit which the royalists in Scotland 1651. derived from the duration of hostilities in Ireland, the Jan. parliamentary leaders sought to put an end to the 10. protracted and sanguinary struggle. Scarcely had Clanricard assumed the government, when Grace and Bryan, two catholic officers, presented themselves to the assembly with a message from Axtel, the governor of Kil-

* See Clanricard's State of the Nation, in his Memoirs, part ii. p. 24.

† Carte, ii. 137—140. Walsh, App. 75—137. Belling in Poncium, 26.

kenny, the bearers of a proposal for a treaty of submission. By many the overture was hailed with transport. They maintained that nothing but a general negociation could put an end to those private treaties which daily thinned their numbers, and exposed the more resolute to inevitable ruin ; that the conditions held out were better than they had reason to expect *now*, infinitely better than they could expect hereafter. Let them put the sincerity of their enemies to the test. If the treaty should succeed, the nation would be saved ; if it did not, the failure would unite all true Irishmen in the common cause, who, if they must fall, would not fall unrevenged. There was much force in this reasoning ; and it was strengthened by the testimony of officers from several quarters, who represented that, to negociate with the parliament was the only expedient for the preservation of the people. But Clanricard treated the proposal with contempt. To entertain it was an insult to him, an act of treason against the king ; and he was seconded by the eloquence and authority of Castlehaven, who affected to despise the power of the enemy, and attributed his success to their own divisions. Had the assembly known the motives which really actuated these noblemen ; that they had been secretly instructed by Charles to continue the contest at every risk, as the best means of enabling him to make head against Cromwell ; that this, probably the last opportunity of saving the lives and properties of the confederates, was to be sacrificed to the mere chance of gaining a victory for the Scots, their bitter and implacable enemies *, many of the calamities which Ireland was yet doomed to suffer, would, perhaps, have been averted. But the majority allowed themselves to be persuaded : the motion to negociate with the parliament was rejected, and the penalties of treason were denounced by the assembly, the sentence of excommunication by the bishops, against all who should conclude any private treaty with the enemy. Limerick and

* Castlehaven's Memoirs, 116. 119, 120.

Galway, the two bulwarks of the confederacy, disapproved of this vote, and obstinately refused to admit garrisons within their walls, that they might not be overawed by the military, but remain arbiters of their own fate.

The lord-deputy was no sooner relieved from this difficulty, than he found himself entangled in a negotiation of unusual delicacy and perplexity. About the close of the last summer, Ormond had despatched the lord Taafe to Brussels, with instructions, both in his own name, and the name of the supreme council *, to solicit the aid of the duke of Lorraine, a prince of the most restless and intriguing disposition, who was accustomed to sell at a high price the services of his army to the neighbouring powers. The duke received him graciously, made him a present of 5000*l.*, and promised an additional aid of men and money, but on condition that he should be declared protector royal of Ireland, with all the rights belonging to that office—rights as undefined as the office itself was hitherto unknown. Taafe hesi- 1650.
tated, but was encouraged to proceed by the queen mo- Nov.
ther, the duke of York, and De Vic, the king's resident at Brussels. They argued that, without aid to the Irish, the king must succumb in Scotland; that the duke of Lorraine was the only prince in Europe that could afford them succour; and that whatever might be his secret projects, they could never be so prejudicial to the royal interests as the subjugation of Ireland by the parliament †. Taafe, however, took a middle way, and per- Dec.
31.

* Compare the papers in the second part of Clanricard's Memoirs, 17, 18, 27. (folio, London, 1757,) with Carte's Ormond, ii. 143.

† Clanricard, 4, 5, 17, 27. Ormond was also of the same opinion. He writes to Taafe that "nothing was done that were to be wished undone;" that the supreme council were the best judges of their own condition; that they had received permission from the king, for their own preservation, "even to receive conditions from the enemy, which must be much more contrary to his interest, than to receive helps from any other to resist them, almost upon any terms." Clanric. 33, 34. There is in the collection of letters by Carte, one from Ormond to Clanricard written after the battle of Worcester, in which that nobleman says that it will be without scruple his advice, that "fitting ministers be sent to the pope, and apt

suaded the duke to send De Henin as his envoy to the supreme council, with powers to conclude the treaty in Ireland.

1651. The assembly had just been dismissed when this en-
 Feb. voy arrived. By the people, the clergy, and the nobi-
 25. lity, he was received as an angel sent from heaven. The supply of arms and ammunition which he brought, joined to his promise of more efficient succour in a short time, roused them from their despondency, and encouraged them to indulge the hope of making a stand against the pressure of the enemy. Clanricard, left without instructions, knew not how to act. He dared not refuse the aid so highly prized by the people; he dared not accede to demands so prejudicial to the king's authority. But if the title of protector royal sounded ungratefully in his ears, it was heard with very different feelings by the confederates, who had reason to conclude that, if the contest between Cromwell and the Scots should terminate in favour of the latter, the Irish catholics would still have need of a protector to preserve their religion from the exterminating fanaticism of the kirk. Clanricard was, however, inexorable, and his resolution finally triumphed over the eagerness of his
 Mar. countrymen, and the obstinacy of the envoy. From the
 27. latter he obtained an additional sum of 15,000*l.*, on the easy condition of naming agents to conduct the negotiation at Brussels, according to such instructions as they should receive from the queen dowager, the duke of York, and the duke of Ormond. The lord-deputy rejoiced that he had shifted the burthen from his shoulders. De Henin was satisfied, because he knew the secret sentiments of those to whose judgment the point in question had been referred *.

"inducements proposed to him for his interposition, not only with all "princes and states."—The rest of the letter is lost, or Carte did not choose to publish it: but it is plain from the first part that he thought the only chance for the restoration of the royal authority was in the aid to be obtained from the pope and the catholic powers. Carte's Letters, i. 461.

* Clanricard, 1—16.

Taafe, having received his instructions in Paris, (but verbal, not written instructions, as Clanricard had required,) joined his colleagues, sir Nicholas Plunket, and Geoffrey Brown, in Brussels, and, after a long but ineffectual struggle, subscribed to the demands of the duke of Lorrain *. That prince, by the treaty, engaged to furnish for the protection of Ireland all such supplies of arms, money, ammunition, shipping and provisions, as the necessity of the case might require; and in return the agents, in the name of the people and kingdom of Ireland, conferred on him, his heirs and successors, the title of protector royal, together with the chief civil authority and the command of the forces, but under the obligation of restoring both, on the payment of his expenses, to Charles Stuart, the rightful sovereign†. There cannot be a doubt that each party sought to over-reach the other.

Clanricard was surprised that he heard nothing from his agents, nothing from the queen or the duke of Ormond. After a silence of several months a copy of the treaty arrived. He read it with indignation; he asserted that the envoys had transgressed their instructions; he threatened to declare them traitors by proclamation. But Charles had now arrived in Paris after the defeat at Worcester, and was made acquainted with the whole intrigue. He praised the loyalty of the deputy, but sought to mitigate his displeasure against the three agents, exhorted him to receive them again into his confidence, and advised him to employ their services, as if the treaty had never existed. To the duke of Lorrain he despatched the earl of Norwich, to object to the articles which bore most on the royal authority, and to re-commence the negotiation‡. But the unsuccessful termination of the Scottish war taught that prince to look upon the project as hopeless; while he hesitated,

* Clanricard, 31. 58. It is certain from Clanricard's papers that the treaty was not concluded till after the return of Taafe from Paris, p. 58.

† Clanricard, 34.

‡ Clanricard, 36—41. 47. 50—54. 58. Also Ponce, 111—124.

the court of Brussels obtained proofs that he was intriguing with the French minister; and, to the surprise of Europe, he was suddenly arrested in Brussels, and conducted a prisoner to Toledo in Spain*.

- Clanricard, hostile as he was to the pretensions of the duke of Lorrain, had availed himself of the money received from that prince to organize a new force, and oppose every obstacle in his power to the progress of the enemy. Ireton, who anticipated nothing less than the entire reduction of the island, opened the campaign with the siege of Limerick. The conditions which he offered
1651. were refused by the inhabitants, and, at their request,
June
11. Hugh O'Neil with three thousand men undertook the defence of the city, but with an understanding that the keys of the gates and the government of the place should remain in the possession of the mayor. Both parties displayed a valour and obstinacy worthy of the prize for which they fought. Though lord Broghill defeated lord Muskerry, the catholic commander in Munster; though Coote, in defiance of Clanricard, penetrated from the northern extremity of Connaught, as far as Athenree and Portumna; though Ireton, after several fruitless attempts, deceived the vigilance of Castlehaven, and established himself on the right bank of the Shannon; and though a party within the walls laboured to represent their parliamentary enemies as the advocates of universal toleration; nothing could shake the constancy of the citizens and the garrison. They harassed the besiegers by repeated sorties; they repelled every assault; and on one occasion they
- July 15. destroyed the whole corps, which had been landed on "the island." Even after the fatal battle of Worcester, to a second summons they returned a spirited refusal. But in October a reinforcement of three thousand men from England arrived in the camp; a battery was formed of the heavy cannon landed from the shipping in the harbour; and a wide breach in the wall admonished the

* Thurloe, ii. 90. 115. 127. 136. 611.

inhabitants to prepare for an assault. In this moment of suspense, with the dreadful example of Drogheda and Wexford before their eyes, they met at the town-hall. It was in vain that O'Neil remonstrated; that the Oct. bishops of Limerick and Emly entreated and threatened; 23. Stretch, the mayor, gave the keys to colonel Fanning, who seized St. John's gate, turned the cannon on the city, and admitted two hundred of the besiegers. A treaty was 27. now concluded; and, if the garrison and inhabitants preserved their lives and property, it was by abandoning twenty-two individuals to the mercy of the conqueror. Of these some made their escape: Terence O'Brien, bishop of Emly, Wallis, a Franciscan friar, major-general Purcell, sir Geoffrey Galway, Baron, a member of the council, Stretch, the mayor of the city, with Fanning and Higgin, were immolated as an atonement for the obstinate resistance of the besiegers*. By Ireton O'Neil was also doomed to die, but the officers who formed the court, in admiration of his gallantry, sought to save his life. Twice they condemned him in obedience to the commander-in-chief, who pronounced his spirited defence of Clonmell an unpardonable crime against the state; but the third time the deputy was persuaded to leave them to the exercise of their own judgment; and they pronounced in favour of their brave but unfortunate captive. Ireton himself did not long survive. When Nov. he condemned the bishop of Emly to die, that prelate 25 had exclaimed, "I appeal to the tribunal of God, and "summon thee to meet me at that bar." By many these words were deemed prophetic; for in less than a month the victorious general fell a victim to the pestilential disease which ravaged the west of Ireland. His death proved a severe loss to the commonwealth, not only on account of his abilities as an officer and a states-

* See the account of their execution in Bruodin, 100, 101. They were hanged and beheaded. Galway was quartered. The heads of the sufferers were fixed above the south gate.

man, out because it removed the principal check to the inordinate ambition of Cromwell*.

1652. During the next winter the confederates had leisure
 Jan. to reflect on their forlorn condition. Charles, indeed, a
 31. second time an exile, solicited them to persevere†; but
 it was difficult to persuade men to hazard their lives and
 Mar. fortunes without the remotest prospect of benefit to
 7. themselves or to the royal cause; and in the month of
 March colonel Fitzpatric, a celebrated chieftain in the
 county of Meath, laid down his arms, and obtained in
 return the possession of his estate. The example alarmed
 the confederates; and Clanricard, in their name, pro-
 24. posed a general capitulation: it was refused by the
 sterne policy of Ludlow, who assumed the command on
 the death of Ireton; a succession of surrenders followed;
 and O'Dwyer, the town of Galway, Thurlogh O'Neil,
 and the earl of Westmeath, accepted the terms dictated
 by the enemy; which were safety for their persons and
 personal property, the restoration of part of their landed
 estates, according to the qualifications to be determined
 by parliament, and permission to reside within the com-
 monwealth, or to enter with a certain number of fol-
 lowers into the service of any foreign prince in amity
 with England. The benefit of these articles did not
 extend to persons who had taken up arms in the first
 year of the contest, or had belonged to the first general
 assembly, or had committed murder, or had taken
 orders in the church of Rome. There were, however,
 several who, in obedience to the instructions received
 from Charles, resolved to continue hostilities to the last
 extremity. Lord Muskerry collected five thousand men
 on the borders of Cork and Kerry, but was obliged to

* Ludlow, i. 293. 6. 8, 9. 300. 7. 310. 316—324. Heath, 304, 5. Ireton's Letter, printed by Field, 1651. Carte, ii. 154. The parliament ordered Ireton's body to be interred at the public expense. It was conveyed from Ireland to Bristol, and thence to London, lay in state in Somerset-house, and on February 6th was buried in Henry the Seventh's chapel. Heath, 305.

† Clanricard, 51.

retire before his opponents: his strong fortress of Ross July opened its gates; and, after some hesitation, he made 5. his submission. In the north, Clanricard reduced Ballyshannon and Donnegal: but there his career ended; May and Coote drove him into the Isle of Carrick, where he 18. was compelled to accept the usual conditions. The July last chieftain of note who braved the arms of the commonwealth was colonel Richard Grace: he beat up the enemy's quarters; but was afterwards driven across the Shannon with the loss of eight hundred of his followers. Colonel Sanchey pursued him to his favourite June retreat; his castle of Inchlough surrendered, and Grace 20. capitulated with twelve hundred and fifty men*. There Aug. 1. still remained a few straggling parties on the mountains and amidst the morasses under Mac Hugh, and Byrne, and O'Brian, and Cavanagh: these, however, were subdued in the course of the winter; the Isle of Inisbouffin received a garrison, and a new force, which appeared in Jan. Ulster, under the lord Iniskilling, obtained, what was May chiefly sought, the usual articles of transportation. The 18. subjugation of Ireland was completed †.

3°. Here, to prevent subsequent interruption, I may be allowed to describe the state of this unhappy country, while it remained under the sway of the commonwealth.

On the death of Ireton, Lambert had been appointed lord-deputy; but by means of a female intrigue he was set aside in favour of Fleetwood, who had married Ireton's widow‡. To Fleetwood was assigned the com-

* On this gallant and honourable officer, who on several subsequent occasions displayed the most devoted attachment to the house of Stuart, see a very interesting article in Mr. Sheffield Grace's "Memoirs of the Family of Grace." P. 27.

† Ludlow, i. 341. 4. 7. 352, 4. 7. 9. 360. Heath, 310. 312. 324. 335. 344. Journals, Ap. 8. 21; May 18. 25; Aug. 18.

‡ Journals, Jan. 30, June 15, July 9. Lambert's wife and Ireton's widow met in the park. The first, as her husband was in possession, claimed the precedence, and the latter complained of the grievance to Cromwell, her father. Cromwell, as his patent of lord-lieutenant was on the point of expiring, refused to renew it: there could be no deputy where there was no lieutenant; and Lambert's appointment of deputy was in conse-

mand of the forces without a colleague; but in the civil administration were joined with him four other commissioners, Ludlow, Corbett, Jones, and Weaver. By their
 Aug. 24. instructions they were commanded and authorized to observe, as far as it was possible, the laws of England in the exercise of the government and the administration of justice; to "endeavour the promulgation of the "gospel, and the power of true religion and holiness;" to remove all disaffected or suspected persons from office; to allow no papist or delinquent to hold any place of trust, to practise as barrister or solicitor, or to keep school for the education of youth; to impose monthly assessments not exceeding 40,000*l.* in amount for the payment of the forces, and to imprison or discharge any person, or remove him from his dwelling into any other place or country, or permit him to return to his dwelling, as they should see cause for the advantage of the commonwealth*.

I. One of the first cares of the commissioners was to satisfy the claims of vengeance. In the year 1644 the catholic nobility had petitioned the king that an inquiry might be made into the murders alleged to have been perpetrated on each side in Ireland, and that justice might be executed on the offenders without distinction of country or religion. To the conquerors it appeared more expedient to confine the inquiry to one party; and a high court of justice was established to try all catholics charged with having shed the blood of any protestant out of battle since the commencement of the rebellion in

quence revoked. But Mrs. Ireton was not content with this triumph over her rival. She married Fleetwood, obtained for him the chief command in place of Lambert, and returned with him to her former station in Ireland. Cromwell, however, paid for the gratification of his daughter's vanity. That he might not forfeit the friendship of Lambert, whose aid was necessary for his ulterior designs, he presented him with a considerable sum to defray the charges of the preparations which he had made for his intended voyage to Ireland. Ludlow, i. 355. 360. Hutchinson, 196. Lambert, however, afterwards discovered that Cromwell had secretly instigated Vane and Hazlerig to oppose his going to Ireland, and, in revenge joined with them to depose Richard Cromwell for the sin of his father. Thurloe, vii. 660.

* Journals, Aug. 24.

1641. Donnelan, a native, was appointed president, with commissary-general Reynolds, and Cook, who had acted as solicitor at the trial of Charles I., for his assessors. The court sate in great state at Kilkenny, and thence made its circuit through the island by Waterford, Cork, Dublin, and other places. Of the justice of its proceedings we have not the means of forming a satisfactory notion: but the cry for blood was too violent, the passions of men were too much excited, and the forms of proceeding too summary to allow the judges to weigh with cool and cautious discrimination the different cases which came before them. Lords Muskerry and Clanmaliere, with Maccarthy Reagh, whether they owed it to their innocence or to the influence of friends, had the good fortune to be acquitted; the mother of colonel Fitzpatric was burnt; Lord Mayo, colonels Tool, Bagnal, and about two hundred more, suffered death by the axe or by the halter. It was, however, remarkable, that the greatest deficiency of proof occurred in the province where the principal massacres were said to have been committed. Of the men of Ulster, sir Phelim O'Neil is the only one whose conviction and execution have been recorded*.

II. Cromwell had not been long in the island before he discovered that it was impossible to accomplish the original design of extirpating the catholic population; and he, therefore, adopted the expedient of allowing their leaders to expatriate themselves with a portion of their countrymen, by entering into the service of foreign powers. This plan was followed by his successors in the war, and was perfected by an act of parliament, banishing all the catholic officers. Each chieftain, when he surrendered, stipulated for a certain number of men; every facility was furnished him to complete his levy; and the exiles hastened to risk their lives in the service of the catholic powers who hired them; many in that

* Ludlow, ii. 2. 5. 8—11. Heath, 332, 3.

of Spain, others of France, others of Austria, and some of the republic of Venice. Thus the obnoxious population was reduced by the number of thirty, perhaps forty thousand able-bodied men; but it soon became a question how to dispose of their wives and families, of the wives and families of those who had perished by the ravages of disease and the casualties of war, and of the multitudes who, chased from their homes and employments, were reduced to a state of utter destitution. These at different times, to the amount of several thousands, were collected in bodies, driven on shipboard, and conveyed to the West Indies*. Yet with all these drains on the one party, and the continual accession of English and Scottish colonists on the other, the catholic was found to exceed the protestant population in the proportion of eight to one†. Cromwell, when he had reached the zenith of his power, had recourse to a new expedient. He repeatedly solicited the fugitives, who, in the reign of the late king, had settled in New England, to abandon their plantations and accept of lands in Ireland. On their refusal, he made the same offer to the Vaudois, the

* According to Petty (p. 187) six thousand boys and women were sent away. Lynch (*Cambreusis Eversus*, in fine,) says that they were sold for slaves. Bruodin, in his *propugnaculum*, (Pragæ, anno 1669) numbers the exiles at one hundred thousand. *Ultra centum millia omnis sexus et ætatis, e quibus aliquot millia in diversas Americæ tabaccarias insulas relegata sunt*, p. 692. In a letter in my possession, written in 1656, it is said: *catholicos pauperes plenis navibus mittunt in Barbados et insulas Americæ. Credo jam sexaginta milla abivisse. Expulsis enim ab initio in Hispaniam et Belgium maritis, jam uxores et proles in Americam destinantur.*—After the conquest of Jamaica in 1655 the protector, that he might people it, resolved to transport a thousand Irish boys and a thousand Irish girls to the island. At first, the young women only were demanded; to which it is replied: "Although we must use force in taking them up, yet, it being so much for their own good, and likely to be of so great advantage to the public, it is not in the least doubted that you may have such number of them as you shall think fit." Thurloe, iv. 23. In the next letter H. Cromwell says: "I think it might be of like advantage to your affairs there, and ours here, if you should think fit to send one thousand five hundred or two thousand young boys of twelve or fourteen years of age to the place aforementioned. *We* could well spare them, and they would be of use to you; and who knows but it may be a means to make them Englishmen, I mean, rather Christians?" (p. 40.) Thurloe answers: "The committee of the council have voted one thousand girls, and as many youths, to be taken up for that purpose." p. 75.

† Petty, *Polit. Arithmetic*, 29.

protestants of Piedmont, but was equally unsuccessful. They preferred their native valleys, though under the government of a catholic sovereign whose enmity they had provoked, to the green fields of Erin, and all the benefits which they might derive from the fostering care and religious creed of the protector*.

III. By an act, entitled an act for the settlement Aug. 12. of Ireland, the parliament divided the royalists and catholics into different classes, and allotted to each class an appropriate degree of punishment. Forfeiture of life and estate was pronounced against all the great proprietors of lands, banishment against those who had accepted commissions; the forfeiture of two-thirds of their estates against all who had borne arms under the confederates of the king's lieutenant, and the forfeiture of one-third against all persons whomsoever who had not been in the actual service of parliament, or had not displayed their constant good affection to the commonwealth of England. This was the doom of persons of property: to all others, whose estates, real and personal, did not amount to the value of 10*l.*, a full and free pardon was graciously offered †.

Care, however, was taken that the third parts, which by this act were to be restored to the original proprietors, were not to be allotted to them out of their former estates, but "in such places as the parliament, for the more effectual settlement of the peace of the nation, should think fit to appoint." When the first plan of extermination had failed, another project was adopted of confining the catholic landholders to Connaught and Clare, beyond the river Shannon, and of dividing the remainder of the island, Leinster, Munster, and Ulster, among protestant colonists. This, it was said, would prevent the quarrels which must otherwise arise between the new

* Hutchinson, Hist. of Massachusetts, 190. Thurloe, iii. 459.

† Journals, Aug. 12, 1652. Scobell, ii. 197. Ludlow, i. 370. In the appendix I have copied this act correctly from the original in the possession of Thomas Lloyd, Esq. See note (G).

planters and the ancient owners; it would render rebellion more difficult and less formidable; and it would break the hereditary influence of the chiefs over their
 1653. septs, and of the landlords over their tenants. Accord-
 Sept. 26. ingly the little parliament, called by Cromwell and his officers, passed a second act, which assigned to all persons, claiming under the qualifications described in the former, a proportionate quantity of land on the right bank of the Shannon; set aside the counties of Limerick, Tipperary, and Waterford in Munster, of King's County, Queen's County, west Meath, and east Meath in Leinster, and of Down, Antrim, and Armagh in Ulster, to satisfy in equal shares the English adventurers who had subscribed money in the beginning of the contest, and the arrears of the army that had served in Ireland since Cromwell took the command; reserved for the future disposal of the government the forfeitures in the counties of Dublin, Cork, Kildare, and Carlow; and charged those in the remaining counties with the deficiency, if there should be any in the first ten, with the liquidation of several public debts, and with the arrears of the Irish army contracted previously to the battle of Rathmines.

To carry this act into execution, the commissioners, by successive proclamations, ordered all persons who claimed under qualifications, and, in addition, all who had borne arms against the parliament, to "remove and transplant" themselves into Connaught and Clare before the first of May, 1654*. How many were prevailed upon to obey, is unknown; but that they amounted to a considerable number is plain from the fact that the lands allotted to them in lieu of their third portions extended to more than eight hundred thousand English acres. Many, however, refused. Retiring into bogs and fastnesses, they formed bodics of armed men, and supported

* See on this question "The Great Subject of Transplantation in Ireland Discussed," 1654. Laurence, "The Interest of England in the Irish Transplantation Stated," 1654; and the answer to Laurence by Vincent Gookin, the author of the first tract.

themselves and their followers by the depredations which they committed on the occupiers of their estates. They were called Raperees and Tories *; and so formidable did they become to the new settlers, that, in certain districts, the sum of 200*l.* was offered for the head of the leader of the band, and that of 40*l.* for the head of any one of the privates †.

To maintain this system of spoliation, and to coerce the vindictive passions of the natives, it became necessary to establish martial law, and to enforce regulations the most arbitrary and oppressive. No catholic was permitted to reside within any garrison or market town, or to remove more than one mile from his own dwelling without a passport describing his person, age, and occupation; every meeting of four persons besides the family was pronounced an illegal and treasonable assembly; to carry arms, or to have arms at home, was made a capital offence; and any transplanted Irishman, who was found on the left bank of the Shannon, might be put to death by the first person who met him, without the order of a magistrate. Seldom has any nation been reduced to a state of bondage more galling and oppressive. Under the pretence of the violation of these laws, their feelings were outraged, and their blood was shed with impunity. They held their property, their liberty, and their lives, at the will of the petty despots around them, foreign planters, and the commanders of military posts, who were stimulated by revenge and interest to depress and exterminate the native population ‡.

IV. The religion of the Irish proved an additional source of solicitude to their fanatical conquerors. By one of the articles concluded with lord Westmeath, it was stipulated that all the inhabitants of Ireland should enjoy the benefit of an act lately passed in England "to relieve peaceable persons from the rigours of former acts in

* This celebrated party name, "Tory," is derived from "tornighim," to pursue for the sake of plunder. O'Connor, *Hib. Stowensis*, ii. 460.

† Burton's *Diary* ii. 210.

‡ Bruodin, 693. *Hibernia Dominicana*, 706.

“ matters of religion ;” and that no Irish recusant should be compelled to assist at any form of service contrary to his conscience. When the treaty was presented for ratification, this concession shocked and scandalized the piety of the saints. The first part was instantly negatived ; and, if the second was carried by a small majority through the efforts of Marten and Vane, it was with a proviso that “ the article should not give any the least “ allowance, or countenance, or toleration, to the exercise “ of the catholic worship in any manner whatsoever*.”

Jan. 6. In the spirit of these votes, the civil commissioners ordered by proclamation all catholic clergymen to quit Ireland within twenty days under the penalties of high treason, and forbad all other persons to harbour any such clergymen under the pain of death. Additional provisions tending to the same object followed in succession. Whoever knew of the concealment of a priest, and did not reveal it to the proper authorities, was made liable to the punishment of a public whipping and the amputation of his ears ; to be absent on a Sunday from the service at the parish church, subjected the offender to a fine of thirty pence ; and the magistrates were authorised to take away the children of catholics and send them to England for education, and to tender the oath of abjuration to all persons of the age of one and twenty years, the refusal of which subjected them to imprisonment during pleasure, and to the forfeiture of two-thirds of their estates real and personal †.

During this period the catholic clergy were exposed to a persecution far more severe than had ever been previously experienced in the island. In former times the chief governors dared not execute with severity the laws against the catholic priesthood, and the fugitives easily found security on the estates of the great landed proprietors. But now the Irish people lay prostrate at the feet

* Journals, 1652, June 1.

† *Hibernia Dominicana*, 707. Bruodin, 696. Porter, *Compendium Annalium Ecclesiasticorum* (Romæ, 1690), p. 292.

of their conquerors ; the military were distributed in small bodies over the country ; their vigilance was sharpened by religious antipathy and the hope of reward ; and the means of detection were facilitated by the prohibition of travelling without a licence from the magistrates. Of the many priests who still remained in the country several were discovered, and forfeited their lives on the gallows : those who escaped detection concealed themselves in the caverns of the mountains, or in lonely hovels raised in the midst of the morasses, whence they issued during the night to carry the consolations of religion to the huts of their oppressed and suffering countrymen*.

3°. In Scotland the power of the commonwealth was as firmly established as in Ireland. When Cromwell hastened in pursuit of the king to Worcester, he left Monk with eight thousand men to complete the conquest of the kingdom. Monk invested Stirling ; and the highlanders who composed the garrison, alarmed by the explosion of the shells from the batteries, compelled the governor to capitulate. The maiden castle, which had^{1651.} never been violated by the presence of a conqueror†, ^{Aug.} submitted to the English "sectaries;" and, what was still more humbling to the pride of the nation, the royal robes, part of the regalia, and the national records, were irreverently torn from their repositories, and sent to London as the trophies of victory. Thence the English general marched forward to Dundee, where he received a proud defiance from Lumsden, the governor. During the preparations for the assault, he learned that the Scottish lords, whom Charles had intrusted with the government in his absence, were holding a meeting on the moor at Ellet, in Angus. By his order, six hundred horse, under the colonels Alured and Morgan, aided, as

* MS. letters in my possession. Bruodin, 696. A proclamation was also issued ordering all nuns to marry or leave Ireland. They were successively transported to Belgium, France, and Spain, where they were hospitably received in the convents of their respective orders.

† "Hæc nobis invicta tulerunt centum sex proavi, 1617," was the boasting inscription which king James had engraved on the wall. Echard, 697.

Aug. 28. it was believed, by treachery, surprised them at an early hour in the morning. Three hundred prisoners were made, including the two committees of the estates and the kirk, several peers, and all the gentry of the neighbourhood; and these, with such other individuals as the general deemed hostile and dangerous to the commonwealth, followed the regalia and records of their country to the English capital. At Dundee a breach was soon made in the wall: the defenders shrunk from the charge of the assailants; and the governor and garrison were massacred. Sept. 1. I must leave it to the imagination of the reader to supply the sufferings of the inhabitants from the violence, the lust, and the rapacity of their victorious enemy. In Dundee, on account of its superior strength, many had deposited their most valuable effects; and all these, with sixty ships and their cargoes in the harbour, became the reward of the conquerors*.

Warned by this awful example, St. Andrews, Aberdeen, and Montrose, opened their gates; the earl of Huntley and lord Balcarres submitted; the few remaining fortresses capitulated in succession; and if Argyle, in the midst of his clan, maintained a precarious and temporary independence, it was not that he cherished the expectation of evading the yoke, but that he sought to draw from the parliament the acknowledgment of a debt which he claimed of the English government†. To destroy the prospect, by showing the hopelessness, of resistance, the army was successively augmented to the amount of twenty thousand men‡; citadels were marked out to be

* Heath, 301, 2. Whitelock, 508. Journals, Aug. 27. Milton's S. Pap. 79. Balfour, iv. 314, 315. "Mounche commaundit all, of quhatsumener sex, to be putt to the edge of the suord. Ther wer 800 inhabitants and souldiers killed, and about 200 women and children. The plounder and buttie they gatte in the toune, exceedid 2 millions and a halffe" (about 200,000l.). That, however, the whole garrison was not put to the sword appears from the mention in the Journals (Sep. 12) of a list of officers made prisoners. Lumsden had quarter given him by captain Kelly; but, as the latter conducted him along the street to Monk, he was shot dead by major Butler. Echard, 693. Cont. of Baker, 629.

† Balfour, iv. 315. Heath, 304. 308. 310. 313. Whitelock, 514. 534. 543.

‡ Journals, Dec. 2, 1652.

built of stone at Ayr, Leith, Perth, and Inverness; and a long chain of military stations drawn across the highlands served to curb, if it did not tame, the fierce and indignant spirit of the natives. The parliament declared the lands and goods of the crown public property, and confiscated the estates of all who had joined the king or the duke of Hamilton in their invasions of England, unless they were engaged in trade, and worth no more than 5*l.*, or not engaged in trade, and worth only 100*l.* All authority derived from any other source than the parliament of England was abolished by proclamation; the different sheriffs, and civil officers of doubtful fidelity were removed for others attached to the commonwealth; a yearly tax of 130,000*l.* was imposed in lieu of free quarters for the support of the army; and English judges, assisted by three or four natives, were appointed to go the circuits, and to supersede the courts of session*. It was with grief and shame that the Scots yielded to these innovations: though they were attended with one redeeming benefit, the prevention of that anarchy and bloodshed which must have followed, had the cavaliers and covenanters, with forces nearly balanced, and passions equally excited, been left to wreak their vengeance on each other. But they were soon threatened with what in their eyes was a still greater evil. The parliament resolved to incorporate the two countries into one commonwealth, without kingly government or the aristo-

* Ludlow, 345. Heath, 313, 326. Whitelock, 528, 542. Journals, Nov. 19. Leicester's Journal, 129. The English judges were astonished at the spirit of litigation and revenge which the Scots displayed during the circuit. More than one thousand individuals were accused before them of adultery, incest, and other offences, which they had been obliged to confess in the kirk during the last twenty or thirty years. When no other proof was brought, the charge was dismissed. In like manner sixty persons were charged with witchcraft. These were also acquitted; for, though they had confessed the offence, the confession had been drawn from them by torture. It was usual to tie up the supposed witch by the thumbs, and to whip her till she confessed; or to put the flame of a candle to the soles of the feet, between the toes, or to parts of the head, or to make the accused wear a shirt of hair steeped in vinegar, &c. See Whitelock, 543, 4, 5. 7, 8.

cratical influence of a house of peers. This was thought to fill up the measure of Scottish misery. There is a pride in the independence of his country of which even the peasant is conscious; but in this case not only national but religious feelings were outraged. With the civil consequences of an union which would degrade Scotland to the state of a province, the ministers in their ecclesiastical capacity had no concern; but they forbade the people to give consent or support to the measure, because it was contrary to the covenant, and tended "to draw with it a subordination of the kirk to the state in the things of Christ*." The parliamentary commissioners (they were eight, with St. John and Vane at their head), secure of the power of the sword, derided the menaces of the kirk. They convened at Dalkeith the representatives of the counties and burghs, who were ordered to bring with them full powers to treat and conclude respecting the incorporation of the two countries. Twenty-eight out of thirty shires, and forty-four out of fifty-eight burghs, gave their consent; and the result was a second meeting at Edinburgh, in which twenty-one deputies were chosen to arrange the conditions with the parliamentary commissioners at Westminster. There conferences were held, and many articles discussed; but, before the plan could be amicably adjusted, the parliament itself, with all its projects, was overturned by the successful ambition of Cromwell †.

4°. From the conquest of Ireland and Scotland we may now turn to the transactions between the commonwealth and foreign powers. The king of Portugal was the first who provoked its anger, and felt its vengeance. At an early period in 1649 prince Rupert, with the fleet which had revolted from the parliament to the late king, sailed from the Texel, swept the Irish channel, and inflicted severe injuries on the English commerce. Vane, to whose in-

* Whitelock, 521. Heath, 307.

† Journals, 1652. March 16. 24. 26; April 2; May 14; Sept. 15. 29; Oct. 29; Nov. 23.

dustry had been committed the care of the naval department, made every exertion to equip a formidable armament, the command of which was given to three military officers, Blake, Dean, and Popham. Rupert retired before this superior force to the harbour of Kinsale; the batteries kept his enemies at bay; and the Irish supplied him with men and provisions. At length the victories of Cromwell by land admonished him to quit his asylum; and, with the loss of three ships, he burst through the blockading squadron, sailed to the coast of Spain, and during the winter months sought shelter in the waters of the Tagus. In spring, Blake appeared with eighteen men-of-war at the mouth of the river: to his request that he might be allowed to attack the pirate at his anchorage, he received from the king of Portugal a peremptory refusal; and, in his attempt to force his way up the river he was driven back by the fire from the batteries. In obedience to his instructions he revenged himself on the Portuguese trade, and Don John, by way of reprisal, arrested the English merchants, and took possession of their effects. Alarmed, however, by the losses of his subjects, he compelled Rupert to quit the Tagus *, and despatched an envoy, named Guimaraes, to solicit an accommodation. Every paper which passed between this minister and the commissioners was submitted to the parliament, and by it approved, or modified, or rejected. Guimaraes subscribed to the preliminaries demanded by the council, that the English merchants arrested in Portugal should be set at liberty, that they should receive an indemnification for their losses,

* Thurloe, i. 134. 142. 155. Heath, 254. 6. 275. Whitelock, 406. 429. 449. 463. 475. Clarendon, iii. 338. Rupert sailed into the Mediterranean, and maintained himself by piracy, capturing not only English but Spanish and Genoese ships. All who did not favour him were considered as enemies. Driven from the Mediterranean by the English, he sailed to the West Indies, where he inflicted greater losses on the Spanish than the English trade. Here his brother, prince Maurice, perished in a storm; and Rupert, unable to oppose his enemies with any hope of success, returned to Europe, and anchored in the harbour of Nantes, in March, 1652. He sold his two men-of-war to cardinal Mazarine. Heath, 337. Whitelock, 552. Clarendon, iii. 513. 520.

and that the king of Portugal should pay a sum of money towards the charges of the English fleet; but he protracted the negociation by disputing dates and details, and was haughtily commanded to quit the territory of the commonwealth. Humbling as it was to Don John, he had no resource: the Conde de Camera was sent, with the title of ambassador extraordinary; he assented to every demand; but the progress of the treaty was interrupted by the usurpation of Cromwell, and another year elapsed before it was concluded. By its valuable privileges were granted to the English traders; four commissioners, two English and two Portuguese, were appointed to settle all claims against the Portuguese government; and it was agreed that an English commissary should receive one half of all the duties paid by the English merchants in the ports of Portugal, to provide a sufficient fund for the liquidation of the debt*.

5°. To Charles I. (nor will it surprise us, if we recollect his treatment of the Infanta) the court of Spain had always behaved with coldness and reserve. The ambassador Cardenas continued to reside in London, even after the king's execution, and was the first foreign minister whom the parliament honoured with a public audience. He made it his chief object to cement the friendship between the commonwealth and his own country, fomented the hostility of the former against Portugal and the United Provinces, the ancient enemies of Spain, and procured the assent of his sovereign that an accredited minister from the parliament should be admitted by the court of Madrid. The individual selected for this office was Ascham, a man who by his writings had rendered himself peculiarly obnoxious to the royalists. He landed near Cadiz, proceeded under an escort for his protection to Madrid, and repaired to an inn, till a suitable residence could be procured. The next day, while he was sitting at dinner with Riba, a

* Journals, 1650, Dec. 17: 1651, Ap: 4. 11. 22; May 7. 13. 16; 1652, Sept. 30, Dec. 15: 1653, Jan. 5. Whitelock, 436. Dumont, vi. p. ii. 82.

renegade friar, his interpreter, six Englishmen entered the house ; four remained below to watch ; two burst into the room, exclaiming, “ welcome, gallants, welcome ;” and in a moment both the ambassador and the interpreter lay on the floor weltering in their blood. Of the assassins, one, a servant to Cottington and Hyde, the envoys from Charles, fled to the house of the Venetian ambassador, and escaped : the other five took refuge in a neighbouring chapel, whence, by the king’s order, they were conducted to the common gaol. When the criminal process was ended, they all received judgment of death. The crime, it was acknowledged, could not be justified ; yet the public feeling was in favour of the criminals : the people, the clergy, the foreign ambassadors, all sought to save them from punishment ; and, though the right of sanctuary did not afford protection to murderers, the king was, but with difficulty, persuaded to send them back to their former asylum. Here, while they remained within its precincts, they were safe ; but the moment they left the sanctuary, their lives became forfeited to the law. The people supplied them with provisions, and offered the means of escape. They left Madrid ; the police pursued ; Sparkes, a native of Hampshire, was taken about three miles from the city ; and the parliament, unable to obtain more, appeared to be content with the blood of this single victim*.

6°. These negociations ended peaceably ; those between the commonwealth and the United Provinces, though commenced with friendly feelings, led to hostilities. It might have been expected that the Dutch, mindful of the glorious struggle for liberty maintained 1646. by their fathers, and crowned with success by the treaty Dec. of Munster, would have viewed with exultation the triumph of the English republicans. But William the 8. Second, prince of Orange, had married a daughter of Charles I : his views and interests were espoused by the

* Compare Clarendon, iii. 369, with the Papers in Thurloe, i. 148—153. 202, and Harleian Miscellany, iv. 280.

military and the people; and his adherents possessed the ascendancy in the States General and in all the provincial states, excepting those of West Friesland and Holland. As long as he lived, no atonement could be obtained for the murder of Dorislaus, no audience for Strickland, the resident ambassador, though that favour was repeatedly granted to Boswell, the envoy of Charles *.

1650. However, in November the prince died of the small-pox
 Nov. in his twenty-fourth year; and a few days later his
 6. widow was delivered of a son, William III., the same
 14. who subsequently ascended the throne of England. The
 infancy of his successor emboldened the democratical
 party: they abolished the office of stadtholder, and re-
 covered the ascendancy in the government. On the
 news of this revolution, the council advised that St. John,
 the chief justice of the Common Pleas, and Strickland,
 the former envoy, should be appointed ambassadors ex-
 traordinary to the States General. St. John, with the
 fate of Ascham before his eyes, sought to escape this
 1651. dangerous mission: he alleged the infirmity of his health
 Jan. and the insalubrity of the climate; but the parliament
 28. derided his timidity, and his petition was dismissed on a
 division by a considerable majority †.

Among the numerous projects which the English
 leaders cherished under the intoxication of success, was
 that of forming, by the incorporation of the United Pro-
 vinces with the commonwealth, a great and powerful re-
 public, capable of striking terror into all the crowned
 heads of Europe. But so many difficulties were fore-
 seen, so many objections raised, that the ambassadors re-
 ceived instructions to confine themselves to the more
 sober proposal of "a strict and intimate alliance and
 "union, which might give to each a mutual and intrin-
 "sical interest" in the prosperity of the other. They
 Mar. made their public entry into the Hague with a parade
 10. and retinue becoming the representatives of a powerful
 nation: but external splendour did not check the popu-

* Thurloe, i. 112. 3. 4. 124.

† Journals, 1651, Jan. 21. 23. 28..

lar feeling which expressed itself by groans and hisses, nor intimidate the royalists, who sought every occasion of insulting "the things called ambassadors*." The States had not forgotten the offensive delay of the parliament to answer their embassy of intercession for the life of Charles I.; nor did they brook the superiority which it now assumed, by prescribing a certain term within which the negociation should be concluded. Pride was met with equal pride: the ambassadors were compelled to solicit a prolongation of their powers, and the treaty began to proceed with greater rapidity. The English proposed a confederacy for the preservation of the liberties of each nation against all the enemies of either by sea and land, and a renewal of the whole treaty of 1495, with such modifications as might adapt it to existing times and circumstances. The States, having demanded in vain an explanation of the proposed confederacy, presented a counter project; but while the different articles remained under discussion, the period prefixed by the parliament expired, and the ambassadors departed. To whom the failure of the negociation was owing became a subject of controversy. The Hollanders blamed the abrupt and supercilious carriage of St. John and his colleague; the ambassadors charged the States with having purposely created delay, that they might not commit themselves by a treaty with the commonwealth, before they had seen the issue of the contest between the king of Scotland and Oliver Cromwell †.

April

17.

May

10.

June

14.

20.

In a short time that contest was decided in the battle

* Thus they are perpetually called in the correspondence of the royalists. Carte's Letters, i. 447. 469; ii. 11. Strickland's servants were attacked at his door by six cavaliers with drawn swords; an attempt was made to break into St. John's bedchamber; Edward, son to the queen of Bohemia, publicly called the ambassadors rogues and dogs; and the young duke of York accidentally meeting St. John, who refused to give way to him, snatched the ambassador's hat off his head and threw it in his face, saying, "Learn, parricide, to respect the brother of your king." "I scorn," he replied, "to acknowledge either, you race of vagabonds." The duke drew his sword, but mischief was prevented by the interference of the spectators. New Parl. Hist. iii. l. 364.

† Thurloe, i. 179. 183. 188—195. Heath, 285—287. Carte's Letters, i. 464. Leicester's Journal, 107. Parl. History, xx. 496.

of Worcester, and the States condescended to become petitioners in their turn. Their ambassadors arrived in England with the intention of resuming the negociation where it had been interrupted by the departure of St. John and his colleague. But circumstances were now changed: success had enlarged the pretensions of the parliament; and the British, instead of shunning, courted a trial of strength with the Belgic lion. First, the Dutch merchantmen were visited under the pretext of searching for munitions of war, which they were carrying to the enemy; and then, at the representation of certain merchants, who conceived themselves to have been injured by the Dutch navy, letters of marque were granted to several individuals, and more than eighty prizes brought into the English ports*. In addition, the navigation act had been passed and carried into execution, by which it was enacted that no goods, the produce of Africa, Asia, and America, should be imported into this country in ships which were not the property of England or its colonies; and that no produce or manufacture of any part of Europe should be imported, unless in ships the property of England or of the country of which such merchandise was the proper growth or manufacture†. Hitherto the Dutch had been the common carriers of Europe: by this act, the offspring of St. John's resentment, one great and lucrative branch of their commercial prosperity was lopped off, and the first, but fruitless demand of the ambassadors was that, if not repealed, it should at least be suspended during the negociation.

* It seems probable that the letters of marque were granted not against the Dutch, but the French, as had been done for some time, and that the Dutch vessels were detained under pretence of their having French property on board. *Suivant les pretextes de represailles contre les François et autres.* Dumont, vi. ii. 32.

† An exception was made in favour of commodities from the Levant seas, the East Indies, and the ports of Spain and Portugal, which might be imported from the usual places of trading, though they were not the growth of the said places. The penalty was the forfeiture of the ship and cargo, one moiety to the commonwealth, the other to the informer. *New Parl. Hist.* iii. 1374.

The Dutch merchants had solicited permission to indemnify themselves by reprisals; but the States ordered a numerous fleet to be equipped, and announced to all the neighbouring powers that their object was, not to make war, but to afford protection to their commerce. By the council of state, the communication was received as a menace; the English ships of war were ordered to exact in the narrow seas the same honour to the flag of the commonwealth as had been formerly paid to that of the king; and the ambassadors were reminded of the claim of indemnification for the losses sustained by the English in the East Indies, of a free trade from Middleburgh to Antwerp, and of the tenth herring which was due from the Dutch fishermen for the permission to exercise their trade in the British seas.

While the conferences were yet pending, commodore 1652.
Young met a fleet of Dutch merchantmen under convoy May
in the Channel; and, after a sharp action, compelled the 12.
men-of-war to salute the English flag. A few days later 18.
the celebrated Van Tromp appeared with two-and-forty
sail in the Downs. He had been instructed to keep at a
proper distance from the English coast, neither to pro-
voke nor to shun hostility, and to salute or not according
to his own discretion; but on no account to yield to the
newly-claimed right of search*. To Bourne, the Eng-
lish commander, he apologized for his arrival, which, he
said, was not with any hostile design, but in consequence
of the loss of several anchors and cables on the opposite
coast. The next day he met Blake off the harbour of 19.
Dover; an action took place between the rival com-
manders; and, when the fleets separated in the evening,
the English cut off two ships of thirty guns, one of which
they took, the other they abandoned on account of the
damage which it had received.

It was a question of some importance who was the aggressor. By Blake it was asserted that Van Tromp

* Le Clerc, 1 315. The Dutch seem to have argued that the salute had formerly been rendered to the king, not to the nation.

had gratuitously come to insult the English fleet in its own roads, and had provoked the engagement by firing the first broadside. The Dutchman replied, that he was cruising for the protection of trade; that the weather had driven him on the English coast; that he had no thought of fighting till he received the fire of Blake's ship; and that, during the action, he had carefully kept on the defensive, though he might with his great superiority of force have annihilated the assailants*.

The reader will probably think, that those who submitted to solicit the continuance of peace were not the first to seek the commencement of hostilities. Immediately after the action at sea, the council ordered the English commanders to pursue, attack, and destroy all vessels the property of the United Provinces; and, in the course of a month, more than seventy sail of merchantmen, besides several men-of-war, were captured, stranded, or burnt. The Dutch, on the contrary, abstained from reprisals; their ambassadors thrice assured the council that the battle had happened without the knowledge, and to the deep regret of the States; and on each occasion earnestly deprecated the adoption of hasty and violent measures, which might lead to consequences highly prejudicial to both nations. They received an answer, which, assuming it as proved that the States intended to usurp the rights of England on the sea, and to destroy the navy, the bulwark of those rights, declared that it was the duty of parliament to seek reparation for the past, and security for the future†.

* The great argument of the parliament in their declaration is the following: Tromp came out of his way to meet the English fleet, and fired on Blake without provocation; the States did not punish him, but retained him in the command; therefore he acted by their orders, and the war was begun by them. Each of these assertions was denied on the other side. Tromp showed the reasons which led him into the track of the English fleet; and the States asserted, from the evidence before them, that Tromp had ordered his sails to be lowered, and was employed in getting ready his boat to compliment the English admiral at the time when he received a broadside from the impatience of Blake. Dumont, vi. p. ii. 33. Le Clere, i. 315. 7. Basnage, i. 254. Heath, 315—320.

† Heath, 320, 321.

Soon afterwards Pauw, the grand pensionary, arrived. He repeated with the most solemn asseverations from his own knowledge the statement of the ambassadors; proposed that a court of inquiry, consisting of an equal number of commissioners from each nation, should be appointed, and exemplary punishment inflicted on the officer who should be found to have provoked the engagement; and demanded that hostilities should cease, and the negotiation be resumed. Receiving no other answer than had been already given to his colleagues, he asked what was meant by "reparation and security;" and was told by order of parliament, that the English government expected full compensation for all the charges to which it had been put by the preparations and attempts of the States, and hoped to meet with security for the future in an alliance which should render the interests of both nations consistent with each other. These, it was evident were conditions to which the pride of the States would refuse to stoop: Pauw demanded an audience of leave of the parliament; and all hope of reconciliation vanished *.

If the Dutch had hitherto solicited peace, it was not that they feared the result of war. The sea was their native element; and the fact of their maritime superiority had long been openly or tacitly acknowledged by all the powers of Europe. But they wisely judged that no victory by sea could repay them for the losses which they must sustain from the extinction of their fishing trade, and the suspension of their commerce†. For the commonwealth, on the other hand, it was fortunate that the depredations of prince Rupert had turned the attention of the leaders to naval concerns. Their fleet had been four years in commission: the officers and men were actuated by the same spirit of civil liberty and religious enthusiasm which distinguished the land army;

* Compare the declaration of parliament of July 9 with that of the States General of July 23, Aug. 2. See also Whitelock, 537. Heath, 315—322. The Journals, June 5. 11. 25. 30; and Le Clerc, i. 318—321.

† The fishery employed in various ways 100,000 persons. Le Clerc, 321.

July 19. Ayscue had just returned from the reduction of Barbadoes with a powerful squadron; and fifty additional ships were ordered to be equipped, an object easily accomplished at a time when any merchantman capable of carrying guns could, with a few alterations, be converted into a man-of-war*. Ayscue with the smaller division of the fleet remained at home to scour the Channel. Blake sailed to the north, captured the squadron appointed to protect the Dutch fishing vessels, exacted from the busses the duty of every tenth herring, and sent them home with a prohibition to fish again without a licence from the English government. In the mean while Van Tromp sailed from the Texel with seventy men-of-war. It was expected in Holland that he would sweep the English navy from the face of the ocean. His first attempt was to surprise Ayscue, who was saved by a calm followed by a change of wind. He then sailed to the north in search of Blake. But his fleet was dispersed by a storm; five of his frigates fell into the hands of the English; and on his return he was received with murmurs and reproaches by the populace. Indignant at a treatment which he had not deserved, he justified his conduct before the States, and then laid down his commission†.

De Ruyter, a name almost equally illustrious on the ocean, was appointed his successor. That officer sailed to the mouth of the Channel, took under his charge a fleet of merchantmen, and on his return was opposed by Ayscue with nearly an equal force. The English commander burst through the enemy, and was followed by nine sail: the rest of the fleet took no share in the action, and the convoy escaped. The blame rested not with Ayscue, but with his inferior officers: but the

* From a list of hired merchantmen converted into men-of-war, it appears that a ship of nine hundred tons burthen made a man-of-war of sixty guns; one of seven hundred tons, a man-of-war of forty-six; four hundred, of thirty-four; two hundred, of twenty; one hundred, of ten; sixty, of eight; and that about five or six men were allowed for each gun. Journals, 1651, May 29.

† Whitelock, 538, 9, 540, 1. Heath, 322. Le Clerc, i. 321.

council took the opportunity to lay him aside, not that they doubted his courage or abilities, but because he was suspected of a secret leaning to the royal cause. To console him for his disgrace, he received a present of 300*l.*, with a grant of land of the same annual rent in Ireland *.

De Witte now joined De Ruyter, and took the command. Blake accepted the challenge of battle, and night alone separated the combatants. The next morning the Dutch fled, and were pursued as far as the Goree. Their ships were in general of smaller dimensions, and drew less water than those of their adversaries, who dared not follow among the numerous sand-banks with which the coast is studded †.

Blake, supposing that naval operations would be suspended during the winter, had detached several squadrons to different ports, and was riding in the Downs with thirty-seven sail, when he was surprised by the appearance of a hostile fleet of double that number, under the command of Van Tromp, whose wounded pride had been appeased with a new commission. A mistaken sense of honour induced the English admiral to engage in the unequal contest. The battle raged from eleven in the morning till night. The English, though they burnt a large ship and disabled two others, lost five sail either sunk or taken; and Blake, under cover of the darkness, ran up the river as far as Leigh. Van Tromp sought his enemy at Harwich and Yarmouth; returning, he insulted the coast as he passed; and continued to cruise backwards and forwards from the North Foreland to the Isle of Wight ‡.

The parliament made every exertion to wipe away this disgrace. The ships were speedily refitted; two regiments of infantry embarked to serve as marines; a bounty

* Heath, 323. Le Clerc, i. 322.

† Ibid. 326. Ludlow, i. 367. Whitelock, 545. Le Clerc, i. 324.

‡ Ibid. 329. Ludlow, ii. 3. Neuville, iii. 68.

was offered for volunteers ; the wages of the seamen were raised ; provision was made for their families during their absence on service ; a new rate for the division of prize-money was established ; and, in aid of Blake, two officers, whose abilities had been already tried, Deane and Monk, received the joint command of the fleet. On the other hand, the Dutch were intoxicated with their success : they announced it to the world in prints, poems, and publications ; and Van Tromp affixed a broom to the head of his mast as an emblem of his triumph. He had gone to the Isle of Rhée to take the homeward bound trade under his charge, with orders to resume his station at the mouth of the Thames, and to prevent the egress of the English. But Blake had
1653. already stationed himself with more than seventy sail
Feb. across the Channel opposite the Isle of Portland to inter-
18. cept the return of the enemy. On the eighteenth of February the Dutch fleet, equal in number, with three hundred merchantmen under convoy, was discovered near Cape la Hogue, steering along the coast of France. The action was maintained with the most desperate obstinacy. The Dutch lost six sail, either sunk or taken, the English one, but several were disabled, and Blake himself was severely wounded.

19. The following morning the enemy were seen opposite Weymouth, drawn up in the form of a crescent covering the merchantmen. Many attempts were made to break through the line : and so imminent did the danger appear to the Dutch admiral, that he made signal for the convoy to shift for themselves. The battle lasted at intervals through the night ; it was renewed with greater
20. vigour near Boulogne in the morning ; till Van Tromp, availing himself of the shallowness of the coast, pursued his course homeward unmolested by the pursuit of the enemy. The victory was decidedly with the English : the loss in men might be equal on both sides : but the Dutch themselves acknowledged that nine of their men-

of-war and twenty-four of the merchant vessels had been either sunk or captured*.

This was the last naval victory achieved under the auspices of the parliament, which, though it wielded the powers of government with an energy that surprised the several nations of Europe, was doomed to bend before the superior genius or ascendancy of Cromwell. When that adventurer first formed the design of seizing the supreme authority, is uncertain: it was not till after the victory at Worcester that he began gradually and cautiously to unfold his object. He saw himself crowned with the laurels of conquest; he held the command in chief of a numerous and devoted army; and he dwelt with his family in a palace formerly the residence of the English monarchs. His adversaries had long ago pronounced him, in all but name, "a king;" and his friends were accustomed to address him in language as adulatory as ever gratified the ears of the most absolute sovereign†. His importance was perpetually forced upon his notice by the praise of his dependents, by the foreign envoys who paid court to him, and by the royalists who craved his protection. In such circumstances it cannot be surprising if the victorious general indulged the aspirings of ambition; if the stern republican, however he might hate to see the crown on the brows of another, felt no repugnance to place it upon his own.

The grandees of the army felt that they no longer possessed the chief sway in the government. War had called them away to their commands in Scotland and Ireland; and during their absence, the conduct of affairs had devolved on those who, in contradistinction,

* Heath, 335. Whitelock, 551. Leicester's Journal, 138. Le Clerc, i. 328. Basnage, i. 298-301. By the English admirals the loss of the Dutch was estimated at 11 men-of-war and 30 merchantmen.

† The general officers conclude their despatches to him thus: "we humbly lay ourselves with these thoughts, in this emergency, at your excellency's feet." Milton's State Papers, 71. The ministers of Newcastle make "their humble addresses to his godly wisdom," and present "their humble suits to God and his excellency" (ibid. 82); and the petitioners from different countries solicit him to mediate for them to the parliament, "because God has not put the sword in his hand in vain." Whitelock, 517.

were denominated the statesmen. Thus, by the course of events, the servants had grown into masters, and the power of the senate had obtained the superiority over the power of the sword. Still the officers in their distant quarters jealously watched, and severely criticised the conduct of the men at Westminster. With want of vigour in directing the military and naval resources of the country, they could not be charged; but it was complained that they neglected the internal economy of government; that no one of the objects demanded in the "agreement of the people" had been accomplished; and that, while others sacrificed their health and their lives in the service of the commonwealth, all the emoluments and patronage were monopolized by the idle drones who remained in the capital*.

- On the return of the lord-general, the council of officers had been re-established at Whitehall; and their
1651. discontent was artfully employed by Cromwell in further-
Sept. 16. ance of his own elevation. When he resumed his seat in the house, he reminded the members of their indifference to two measures earnestly desired by the country, the act of amnesty and the termination of the present parliament. Bills for each of these objects had been introduced as far back as 1649; but, after some progress, both were suffered to sleep in the several committees; and this backwardness of the "statesmen" was attributed to their wish to enrich themselves by forfeitures, and to perpetuate their power by perpetuating the parliament.
1652. The influence of Cromwell revived both questions. An
Feb. 24. act of oblivion was obtained, which, with some exceptions, pardoned all offences committed before the battle of Worcester, and relieved the minds of the royalists from the apprehension of additional forfeitures. On the question of the expiration of parliament, after several
1651. warm debates, the period had been fixed for the 3rd of
Nov. 18. November, 1654; a distance of three years, which,

* Whitelock, 549.

perhaps, was not the less pleasing to Cromwell, as it served to show how unwilling his adversaries were to resign their power. The interval was to be employed in determining the qualifications of the succeeding parliament*.

In the winter the lord-general called a meeting of officers and members at the house of the speaker; and it must have excited their surprise, when he proposed to them to deliberate, whether it were better to establish a republic, or a mixed form of monarchical government. The officers in general pronounced in favour of a republic, as the best security for the liberties of the people; the lawyers pleaded unanimously for a limited monarchy, as better adapted to the laws, the habits, and the feelings of Englishmen. With the latter Cromwell agreed, and inquired whom in that case they would choose for king. It was replied, either Charles Stuart or the duke of York, provided they would comply with the demands of the parliament; if they would not, the young duke of Gloucester, who could not have imbibed the despotic notions of his elder brothers. This was not the answer which Cromwell sought: he heard it with uneasiness; and, as often as the subject was resumed, diverted the conversation to some other question. In conclusion, he gave his opinion, that, "somewhat of a monarchical government would be most effectual, if it could be established with safety to the liberties of the people as Englishmen and Christians†." That the result of the meeting disappointed his expectations, is evident; but he derived from it this advantage, that he had ascertained the sentiments of many, whose aid he might subsequently require. None of the leaders from the opposite party appear to have been present.

Jealous, however, of his designs, "the statesmen" had begun to fight him with his own weapons. As the commonwealth had no longer an enemy to contend with on

* Journals, 1651, Nov. 4. 14, 15. 18. 27; 1652, Feb. 24.

† Whitelock, 516

Oct. the land, they proposed a considerable reduction in the
 2. number of the forces, and a proportionate reduction of
 7. the taxes raised for their support. The motion was too
 Dec. reasonable in itself, and too popular in the country to be
 19. resisted with safety: one-fourth of the army was dis-
 1652. banded, and the monthly assessment lowered from
 June 120,000*l.* to 90,000*l.* Before the expiration of six
 5. months, the question of a further reduction was brought
 15. forward; but the council of war took the alarm, and a
 letter from Cromwell to the speaker induced the house
 Aug. to continue its last vote. In a short time it was again
 12. mentioned; but the next day six officers appeared at the
 13. bar of the house with a petition from the army, which,
 under pretence of praying for improvements, tacitly
 charged the members with the neglect of their duty. It
 directed their attention to the propagation of the gospel,
 the reform of the law, the removal from office of scan-
 dalous and disaffected persons, the abuses in the excise
 and the treasury, the arrears due to the army, the viola-
 tion of articles granted to the enemy, and the qualifica-
 tions of future and successive parliaments. Whitelock
 remonstrated with Cromwell on the danger of permit-
 ting armed bodies to assemble and petition. He slighted
 the advice*.

Nov. Soon afterwards the lord-general requested a private
 8. and confidential interview with that lawyer. So violent,
 he observed, was the discontent of the army, so imperious
 the conduct of the parliament, that it would be impos-
 sible to prevent a collision of interests, and the subse-
 quent ruin of the good cause, unless there were esta-
 blished "some authority so full and so high" as to be
 able to check these exorbitances, and to restrain both
 the army and the parliament. Whitelock replied that,
 for the army, his excellency had hitherto kept and
 would continue to keep it in due subordination; but
 with respect to the parliament, reliance must be placed
 on the good sense and virtue of the majority. To con-

* Whitelock, 541. Journals, 1651, Dec. 19. 1652, June 15; Aug. 12, 13.

trol the supreme power was legally impossible. All, even Cromwell himself, derived their authority from it. At these words the lord-general abruptly exclaimed; "What, if a man should take upon him to be king?" The commissioner answered, that the title would confer no additional benefit on his excellency. By his command of the army, his ascendancy in the house, and his reputation both at home and abroad, he already enjoyed, without the envy of the name, all the power of a king. When Cromwell insisted that the name would give security to his followers, and command the respect of the people, Whitelock rejoined, that it would change the state of the controversy between the parties, and convert a national into a personal quarrel. His friends had cheerfully fought with him to establish a republican in place of monarchical government; would they equally fight with him in favour of the house of Cromwell against the house of Stuart*? In conclusion, Cromwell conjured him to give his advice without disguise or qualification, and received this answer: Make a private treaty with the son of the late king, and place him on the throne, but on conditions which shall secure to the nation its rights, and to yourself the first place beneath the throne. The general coldly observed that a matter of such importance and difficulty deserved mature consideration. They separated; and Whitelock soon discovered that he had forfeited his confidence†.

At length Cromwell fixed on a plan to accomplish his

* Henry duke of Gloucester and the princess Elizabeth were in England at the last king's death. In 1650 the council proposed to send the one to his brother in Scotland, and the other to her sister in Holland, allowing to each 1000*l.* per annum, as long as they should behave inoffensively. (Journals, 1650, July 24; Sept. 11.) But Elizabeth died on Sept. 8, of the same year, and Henry remained under the charge of Mildmay, governor of Carisbrook castle, till a short time after this conference, when Cromwell, as if he looked on the young prince as a rival, advised his tutor, Lovel, to ask permission to convey him to his sister, the princess of Orange. It was granted, with the sum of 500*l.* to defray the expense of the journey. Leicester's Journal, 103. Heath, 331. Clarendon, iii: 525, 6.

† Whitelock, 548—551. Were the minutes of this conversation committed to paper immediately, or after the Restoration? The credit due to them depends on this circumstance.

purpose by procuring the dissolution of the parliament, and vesting for a time the sovereign authority in a council of forty persons, with himself at their head. It was his wish to effect this quietly by the votes of parliament—his resolution to effect it by open force, if such votes were refused. Several meetings were held by the officers and members at the lodgings of the lord-general in Whitehall. St. John and a few others gave their assent; the rest under the guidance of Whitelock and Widdrington, declared that the dissolution would be dangerous, and the establishment of the proposed council unwarrantable. In the mean time, the house resumed the consideration of the new representative body, and several qualifications were voted; to all of which the officers raised objections, but chiefly to the “admission of neuters,” a project to strengthen the government by the introduction of the presbyterian interest*.

1653. “Never,” said Cromwell, “shall any of that judgment, who have deserted the good cause, be admitted to power.” On the last meeting, held on the 19th of April 19. April, all these points were long and warmly debated. Some of the officers declared that the parliament must be dissolved “one way or other;” but the general checked their indiscretion and precipitancy; and the assembly broke up at midnight, with an understanding that the leading men on each side should resume the subject in the morning†.

20. At an early hour the conference was recommenced, and after a short time interrupted, in consequence of the receipt of a notice by the general that it was the in-

* From Ludlow (ii. 435) it appears that by this bill the number of members for boroughs was reduced, of representatives of counties increased. The qualification of an elector was the possession for his own use of an estate real or personal of the value of 200*l*. Journ. 30th March, 1653. It is however singular that though the house continued to sit till April 19th—the only entry on the journals respecting this bill occurs on the 13th—making it a qualification of the candidates that they should be “persons of known integrity, fearing God, and not scandalous in their conversation.” Journal, *ibid*.

† Compare Whitelock’s narrative of this meeting (p. 554) with Cromwell’s, in Milton’s State Papers, 109.

tention of the house to comply with the desires of the army. This was a mistake : the opposite party led by Vane, who had discovered the object of Cromwell, had indeed resolved to pass a bill of dissolution, not, however, the bill proposed by the officers, but their own bill containing all the obnoxious provisions ; and to pass it that very morning, that it might obtain the force of law before their adversaries could have time to appeal to the power of the sword *. While Harrison “ most sweetly “ and humbly ” conjured them to pause before they took so important a step, Ingoldsby hastened to inform the lord-general at Whitehall. His resolution was immediately formed ; and a company of musketeers received orders to accompany him to the house.

At this eventful moment, big with the most important consequences both to himself and his country, whatever were the workings of Cromwell’s mind, he had the art to conceal them from the eyes of the beholders. Leaving the military in the lobby, he entered the house, and composedly seated himself on one of the outer benches. His dress was a plain suit of black cloth, with grey worsted stockings. For a while he seemed to listen with interest to the debate ; but, when the speaker was going to put the question, he whispered to Harrison, “ This is “ the time : I must do it ; ” and rising, put off his hat to address the house. At first his language was decorous and even laudatory. Gradually he became more warm and animated : at last he assumed all the vehemence of passion, and indulged in personal vituperation. He charged the members with self-seeking and profaneness ; with the frequent denial of justice, and numerous acts of oppression ; with idolizing the lawyers, the constant advocates of tyranny ; with neglecting the men who had bled for them in the field, that they might gain

* These particulars may be fairly collected from Whitelock, 554, compared with the declaration of the officers, and Cromwell’s speech to his parliament. The intention to dissolve themselves is also asserted by Hazlerig. Burton’s Diary, iii. 98.

the presbyterians who had apostatized from the cause ; and with doing all this in order to perpetuate their own power, and to replenish their own purses. But their time was come ; the Lord had disowned them ; he had chosen more worthy instruments to perform his work. Here the orator was interrupted by sir Peter Wentworth, who declared that he never before heard language so unparliamentary, language, too, the more offensive, because it was addressed to them by their own servant, whom they had too fondly cherished, and whom, by their unprecedented bounty, they had made what he was. At these words Cromwell put on his hat, and, springing from his place, exclaimed, "Come, come, sir, I will put an end to your prating." For a few seconds, apparently in the most violent agitation, he paced forward and backward, and then, stamping on the floor, added, "You are no parliament. I say you are "no parliament : bring them in, bring them in." Instantly the door opened, and colonel Worseley entered, followed by more than twenty musketeers. "This," cried sir Henry Vane, "is not honest. It is against "morality and common honesty." "Sir Henry Vane," replied Cromwell, "O sir Henry Vane ! The Lord deliver me from sir Henry Vane ! He might have prevented this. But he is a juggler, and has not common honesty himself." From Vane he directed his discourse to Whitelock, on whom he poured a torrent of abuse ; then, pointing to Challoner, "there," he cried, "sits a drunkard ;" next, to Marten and Wentworth, "there are two whoremasters ;" and afterwards, selecting different members in succession, described them as dishonest and corrupt livers, a shame and a scandal to the profession of the gospel. Suddenly, however, checking himself, he turned to the guard, and ordered them to clear the house. At these words colonel Harrison took the speaker by the hand, and led him from the chair ; Algernon Sidney was next compelled to quit his seat ; and the other members, eighty in number, on the

approach of the military, rose and moved towards the door. Cromwell now resumed his discourse. "It is you," he exclaimed, "that have forced me to do this. I have sought the Lord both day and night, that he would rather slay me, than put me on the doing of this work." Alderman Allen took advantage of these words to observe, that it was not yet too late to undo what had been done; but Cromwell instantly charged him with peculation, and gave him into custody. When all were gone, fixing his eye on the mace, "What," said he, "shall we do with this fool's bauble? Here, carry it away." Then, taking the act of dissolution from the clerk, he ordered the doors to be locked, and, accompanied by the military, returned to Whitehall.

That afternoon the members of the council assembled in their usual place of meeting. Bradshaw had just taken the chair, when the lord-general entered, and told them, that if they were there as private individuals, they were welcome; but, if as the council of state, they must know that the parliament was dissolved, and with it also the council. "Sir," replied Bradshaw, with the spirit of an ancient Roman, "we have heard what you did at the house this morning, and before many hours all England will know it. But, sir, you are mistaken to think that the parliament is dissolved. No power under heaven can dissolve them but themselves. Therefore take you notice of that." After this protest they withdrew*.

Thus, by the parricidal hands of its own children, perished the long parliament, which, under a variety of forms, had, for more than twelve years, defended and invaded the liberties of the nation. It fell without a struggle or a groan, unpitied and unregretted. The members slunk away to their homes, where they sought by submission to purchase the forbearance of their new

* See the several accounts in Whitelock, 554. Ludlow, ii. 19, 23. Leicester's Journal, 139. Hutchinson, 332. Several Proceedings, No 186, and Burton's Diary, iii. 98.

master; and their partisans, if partisans they had, reserved themselves in silence for a day of retribution, which came not before Cromwell slept in his grave. The royalists congratulated each other on an event which they deemed a preparatory step to the restoration of the king; the army and navy, in numerous addresses, declared that they would live or die, stand or fall, with the lord-general, and in every part of the country the congregations of the saints magnified the arm of the Lord which had broken the mighty, that in lieu of the sway of mortal men, "the fifth monarchy, the reign of "Christ, might be established upon earth*."

It would, however, be unjust to the memory of those who exercised the supreme power after the death of the king, not to acknowledge that there existed among them men capable of wielding with energy the destinies of a great empire. They governed only four years; yet, under their auspices, the conquests of Ireland and Scotland were achieved, and a navy was created, the rival of that of Holland and the terror of the rest of Europe †. But there existed an essential error in their form of government. Deliberative assemblies are always slow in their proceedings; yet the pleasure of parliament, as the supreme power, was to be taken on every subject connected with the foreign relations, or the internal administration of the country; and hence it happened that, among the immense variety of questions which came before it, those commanded immediate attention which were deemed of immediate necessity; while the others, though often of the highest importance to the national welfare, were first postponed, then neglected, and ultimately forgotten. To this habit of procrastination was perhaps owing the extinction of

* Whitelock, 555—558. Milton's State Papers, 90—97. Ellis, Second Series, iii. 368.

† "We intended," says Scot, "to have gone off with a good savour, but we stayed to end the Dutch war. We might have brought them to oneness with us. Their ambassadors did desire a coalition. This we might have done in four or five months. We never bid fairer for being "masters of the whole world." Burton's Diary, iii. 112.

its authority. It disappointed the hopes of the country, and supplied Cromwell with the most plausible argument in defence of his conduct.

Of the parliamentary transactions up to this period, the principal have been noticed in the preceding pages. I shall add a few others which may be thought worthy the attention of the reader. 1°. It was complained that, since the abolition of the spiritual tribunals, the sins of incest, adultery, and fornication had been multiplied, in consequence of the impunity with which they might be committed; and, at the prayer of the godly, they were made criminal offences, cognizable by the criminal courts, and punishable, the two first with death, the last ^{1650.} May with three months' imprisonment. But it was predicted ^{16.} at the time, and experience verified the prediction, that the severity of the punishment would defeat the purpose of the law. 2°. Scarcely a petition was presented which did not, among other things, pray for the reformation of the courts of justice; and the house, after several long debates, acquiesced in a measure understood to be only ^{Nov.} the forerunner of several others, that the law books ^{8.} 22. should be written, and law proceedings be conducted in the English language*. 3°. So enormous were the charges of the commonwealth, arising from incessant war by sea or land, that questions of finance continually engaged the attention of the house. There were four principal sources of revenue; the customs, the excise, the sale of fee-farm rents†, of the lands of the crown, and of those belonging to the bishops, deans, and chapters, and the sequestration and forfeiture of the estates of papists and delinquents. The ordinances for the latter had been passed as early as the year 1643, and in the course of the seven succeeding years, the harvest had been reaped and gathered. Still some

* Journals, May 10, Nov. 22. Whitelock, 478—483.

† The clear annual income from the fee-farm rents amounted to 77,000*l.* In Jan. 1651, 25,300*l.* of this income had been sold for 225,650*l.* Journals, Jan. 8.

1650. gleanings might remain; and in 1650, an act was
 Jan. passed for the better ordering and managing such
 22. estates; the former compositions were subjected to examination; defects and concealments were detected; and
 1651. proportionate fines were in numerous cases exacted. In
 July 1651 seventy individuals, most of them of high rank, all
 16. of opulent fortunes, who had imprudently displayed their attachment to the royal cause, were condemned to forfeit their property, both real and personal, for the benefit of the commonwealth. The fatal march of Charles to Worcester furnished grounds for a new proscription
 1652. in 1652. First nine-and-twenty, then six hundred and
 Aug. eighty-two royalists were selected for punishment. It
 4. was enacted that those in the first class should forfeit
 Nov. their whole property; while to those in the second, the
 18. right of pre-emption was reserved at the rate of one-third part of the clear value, to be paid within four months*.

4° During the late reign, as long as the presbyterians retained the ascendancy in parliament, they enforced with all their power uniformity of worship and doctrine. The clergy of the established church were ejected from their livings; and the professors of the catholic faith were condemned to forfeit two-thirds of their property, or to abjure their religion. Nor was the proof of recusancy to depend, as formerly, on the slow process of presentation and conviction; bare suspicion was held a sufficient ground for the sequestrator to seize his prey; and the complainant was told that he had the remedy in his own hands, he might take the oath of abjuration. When the independents succeeded to the exercise of the supreme power, both the persecuted parties indulged a hope of more lenient treatment, and both were disappointed. The independents, indeed, proclaimed them-

* Journals, 1651, July 16. 1652, Aug. 4; Nov. 18. Scobell, 156. 210. If any of the last were papists, and afterward disposed of their estates thus redeemed, they were ordered to banish themselves from their native country, under the penalty of having the laws against popery executed against them with the utmost severity. Addit. Act of Nov. 18, 1652.

selves the champions of religious liberty: they repealed the statutes imposing penalties for absence from church; and they declared that men were free to serve God according to the dictates of conscience. Yet their notions of toleration were very confined: they refused to extend it either to prelacy or popery, to the service of the church of England, or of the church of Rome. The ejected clergymen were still excluded from the pulpit, and the catholics were still the victims of persecuting statutes. In 1650, an act was passed offering to the discoverers of 1650.
priests and jesuits, or of their receivers and abettors, the Feb.
same reward as had been granted to the apprehenders 26.
of highwaymen. Immediately officers and informers were employed in every direction; the houses of catholics were broken open and searched at all hours of the day and night; many clergymen were apprehended, and several were tried, and received judgment of death. Of 1651.
these only one, Peter Wright, chaplain to the marquess May.
of Winchester, suffered. The leaders shrunk from the 19.
odium of such sanguinary exhibitions, and transported the rest of the prisoners to the continent*.

But if the zeal of the independents was more sparing of blood than that of the presbyterians, it was not inferior in point of rapacity. The ordinances for sequestration and forfeiture were executed with unrelenting severity†. It is difficult to say which suffered from them most cruelly—families with small fortunes, who were thus reduced to a state of penury; or husbandmen, servants, and mechanics, who, on their refusal to take the oath of abjuration, were deprived of two-thirds of their scanty earnings, even of their household goods and wearing ap- 1652.
parel‡. The sufferers ventured to solicit from parlia- June
30.

* Challoner, il. 346. MS. papers in my possession. See note (H).

† In 1650 the annual rents of catholics in possession of the sequestrators were returned at 62,048*l.* 17*s.* 3*d.* It should, however, be observed that thirteen counties were not included. Journ. Dec. 17.

‡ In proof, I may be allowed to mention one instance of a catholic servant maid, an orphan, who, during a servitude of seventeen years, at seven nobles a-year, had saved 20*l.* The sequestrators, having discovered with whom she had deposited her money, took two-thirds, 13*l.* 6*s.* 8*d.* for the

ment such indulgence as might be thought "consistent
"with the public peace and their comfortable sub-
"sistence in their native country." The petition was
read: sir Henry Vane spoke in its favour; but the
house was deaf to the voice of reason and humanity, and
the prayer for relief was indignantly rejected *.

use of the commonwealth, and left her the remainder, 6*l.* 13*s.* 4*d.* In
March, 1652, she appealed to the commissioners at Haberdashers' hall,
who replied that they could afford her no relief, unless she took the oath
of abjuration. See this and many other cases in the "Christian Modera-
tor, or Persecution for Religion, condemned by the Light of Nature, the
"Law of God, and Evidence of our own Principles." P. 77—84. London,
1652.

* Journals, 1652, June 30. The petition is in the Christian Moderator,
p. 59.

NOTES.

NOTE (A), Pages 46 and 62.

THE reader will perhaps be surprised that I have not alluded to the immense multitude of English protestants said to have been massacred at the breaking out of the rebellion. I am perfectly aware that Clarendon speaks "of forty or fifty thousand murdered before they suspected themselves to be in any danger, or could provide for their own defence by drawing together in towns or strong houses" (Clarendon, i. 299. See also his *History of the Irish Rebellion*); that a nameless writer, copied by Nalson, says, that the insurgents "within a few days murdered an incredible number of protestants, men, women, and children, indiscriminately" (Nalson, ii. 591); that May asserts "that the persons of above 200,000 men, women, and children, were murdered, many of them with exquisite and unheard-of tortures, within the space of one month" (May, 18); and that the same has been repeated by writers without number. But such assertions appear to me rhetorical flourishes, rather than historical statements. They are not founded on authentic documents. They lead the reader to suppose, that the rebels had formed a plan to surprise and murder all the protestant inhabitants: whereas the fact was, that they sought to recover the lands which, in the last and in the present reign, had been taken from them and given to the English planters. They warned the intruders to be gone; they expelled them from the plantations; they seized their goods, and burnt their houses. That in the prosecution of this object many lives would be lost on both sides is evident. As early as October 27, colonel Crawford killed 300 Irish with his cavalry without the loss of a man, and on the 28th colonel Matthews slaughtered above 150 more, "starting them like

hares out of the bushes" (Carte, i. 186); and on the other hand, many insulated acts of murder by the rebels, prompted chiefly by the revenge of individuals, occurred. But that no premeditated design of a general massacre existed, and that no such massacre was made, is evident from the official despatches of the lords justices during the months of October, November, and December.

1°. We have their despatches of October the 25th, with the accompanying documents (Lords' Journals, iv. 412. Nalson, ii. 514—523): but in these there is no mention of any one murder. After detailing the rising and plundering by the insurgents, they add, "this, though too much, is all that we yet hear is done by them." Journals, *ibid.* Nalson, ii. 516.

2°. In a letter to the privy council, of November 15, they thus describe the conduct of the rebels: "They have seized the houses and estates of almost all the English in the counties of Monaghan, Cavan, Fermanagh, Armagh, Tirone, Donegal, Leitrim, Longford, and a great part of the county of Downe, some of which are houses of good strength, and dispossessed the English of their arms, and some of the English gentlemen whose houses they seized (even without any resistance in regard of the suddenness of their surprise), the rebels most barbarously, not only murdered, but, as we are informed, hewed some of them to pieces. They surprised the greatest part of a horse troop of his majesties army, commanded by the lord Grandison, in the county of Armagh, and possessed themselves of their arms. They apprehended the lord Caulfield and sir Edward Trevor, a member of this board, and sir Charles Pointes, and Mr. Branthwait, agent to the earl of Essex, and a great number of other gentlemen of good quality of the English in several parts, whom they still keep prisoners; as also the lord Blayney's lady and children, and divers other ladies and gentlewomen. They have wasted, destroyed, and spoyle wheresoever they came, and now their fury begins to threaten the English plantations in the Queen's county and King's county, and, by their example, the sheriff of the county of Longford, a native and papist, is likewise risen in arms, and fol-

lowed by the Irish there, where they rob, spoyle, and destroy the English with great cruelty.

"In these their assaults of the English, they have slain many, robbed and spoyled thousands, reduced men of good estates in lands, who lived plentifully and well, to such a condition as they left them not so much as a shirt to cover their nakedness. They turned out of their estates many of considerable fortunes in goods, and left them in great want and misery, and even the Irish servants and tenants of the English, who lived under them, rise against them with great malignity, and joyn with the rebels. They defaced the chargeable buildings and profitable improvements of the English, to their uttermost power. They threaten all the English to be gone by a time, or they will destroy them utterly; and indeed they give out publickly, that their purpose is totally to extirp the English and protestants, and not to lay down arms until, by act of parliament here, the Romish religion be established, and that the government be settled in the hands of the natives, and all the old Irish restored to the lands of their supposed ancestors." Nalson, p. 889.

3°. In another of the same date, to be read in the house of commons, they express themselves thus: "By killing and destroying so many English and protestants in several parts, by robbing and spoiling of them, and many thousands more of his majesties good subjects, by seizing so many castles, houses, and places of strength, in several parts of the kingdom, by threatning the English to depart, or otherwise they will destroy them utterly; and all their wickedness acted against the English and protestants, with so much inhumanity and cruelty, as cannot be imagined to come from christians, even towards infidels." Ibid. p. 893.

4°. In the fourth, of November 25, they describe the progress of the rebellion. "In both counties, as well Wickloe as Wexford, all the castles and houses of the English, with all their substance, are come into the hands of the rebels, and the English, with their wives and children strip'd naked, and banished thence by their fury and rage. The rebels in the county of Longford do still increase also, as well as in their numbers, as

in their violence. The Ulster rebels are grown so strong, as they have sufficient men to leave behind them in the places they have gotten northward, and to lay siege to some not yet taken. . . . They have already taken Mellifont, the lord Moor's house, though with the loss of about 120 men of theirs, and there (in cold blood) they murdered ten of those that manfully defended that place. . . . In the county of Meath also . . . the rebels rob and spoil the English protestants till within six miles of Dublin." Ibid. 900, 901.

5°. We have a fifth despatch, of November 27th, "The disturbances are now grown so general, that in most places, and even round about this city within four miles of us, not only the open rebels of mere Irish, but the natives, men, women, and children, joyn together and fall on the neighbours that are English or protestants, and rob and spoil them of all they have, nor can we help it." Nalson, 902.

6°. I shall add a sixth, of December 14th, "They continue their rage and malignity against the English and protestants, who if they leave their goods or cattel for more safety with any papists, those are called out by the rebels, and the papists, goods or cattel left behind; and now upon some new councils taken by them, they have added to their former a farther degree of cruelty, even of the highest nature, which is to proclaim, that if any Irish shall harbour or relieve any English, that be suffered to escape them with his life, that it shall be penal even to death to such Irish; and so they will be sure, though they put not those English actually to the sword, yet they do as certainly and with more cruelty cut them off that way, than if they had done it by the sword; and they profess they will never give over until they leave not any seed of an Englishman in Ireland." Ibid. 911. They then add an account of a castle in the town of Longford having surrendered on a promise of quarter, when a priest killed the minister, and others killed some of the captives and hanged the rest. Ibid. 913. "The rebels of the county of Kildare have taken the Naas and Kildare in the county of Kildare. The rebels of Meath have taken Trim and Ashboy in the county of Meath, and divers other places. The rebels

of the county of Dublin have possessed Swords and Rathcoole, and spoyled all the English and protestants even to the gates of Dublin." Nalson, 914.

If we consider the language of these despatches, and at the same time recollect who were the writers, and what an interest they had in exaggerating the excesses of the insurgents, we must, I think, conclude that hitherto no general massacre had been made or attempted.

On the 23d of December the same lords justices granted a commission to Henry Jones, dean of Kilmore, and seven other clergymen, in these words: "Know ye that we . . . do hereby give unto you . . . full power and authority . . . to call before you, and examine upon oath on the holy Evangelists . . . as well all such persons as have been robbed and despoiled, as all the witnesses, that can give testimony therein what robberies and spoils have been committed on them since the 22d of October last, or shall hereafter be committed on them or any of them: what the particulars were, or are, whereof they were or shall be so robbed or spoiled; to what value, by whom, what their names are, or where they now or last dwelt that committed these robberies. On what day or night the said robberies or spoils committed, or to be committed, were done; what traitorous or disloyal words, speeches, or actions, were then or at any other time uttered or committed by those robbers or any of them, and how often; and all other circumstances concerning the said particulars, and every of them. And you, our said commissioners, are to reduce to writing all the examinations, &c., and the same to return to our justices and council of this our realm of Ireland." Temple, Irish Reb. p. 137.

Let the reader consider the purport of this commission, and he will certainly think it strange that, if a general massacre of the protestants had taken place, if 200,000, as May says, or even the smaller number of 40,000 or 50,000, had been murdered, the lords justices should have omitted to extend the inquiry to so bloody a transaction. However, on the 18th of January, 1643, they issued another commission to the same persons, with this additional instruction, to inquire "what lands had been seized, and what murders committed by the

rebels ; what numbers of British protestants had perished in the way to Dublin, or any place whither they fled, and how many had turned papists since the 22d of October." Warner, 161. 294. Here murders are indeed mentioned, but in such a manner as to prove that the justices were still ignorant of any general or even extensive massacre.

The commissioners accordingly took depositions from March 24th till October, 1644, and the examinations fill thirty-two large volumes folio, deposited in the college library at Dublin. Warner, after a diligent inspection, observes, that "in infinitely the greatest number of them, the words *being duly sworn*, have the pen drawn through them, with the same ink with which the examinations were written ; and in several of those where such words remain, many parts of the examinations are crossed out. This is a circumstance which shows that the bulk of this immense collection is parole evidence, and upon report of common fame." Ibid. 295.

Out of these examinations, therefore, the commissioners collected those which had been made upon oath, and consigned them to another book, attesting with their signatures that the copies were correct. "From these, then, it appears that the whole number of persons killed by the rebels *out of war*, not at the beginning only, but in the course of the two first years of the rebellion, amounted altogether to 2109: on the report of other protestants, 1619 more, and on the report of some of the rebels themselves, a further number of 300 ; the whole making 4028. Besides these murders, there is in the same collection evidence, on the report of others, of 8000 killed by ill usage: and if we allow that the cruelties of the Irish out of war extended to these numbers (which, considering the nature of several of the depositions, I think in my conscience we cannot), yet, to be impartial, we must allow that there is no pretence for laying a greater number to their charge." Warner, 297.

I shall not lengthen this note by narrating the recriminations of the Irish. That they suffered as much as they inflicted, cannot be doubted. But the blame of such barbarities should not rest solely with the perpe-

trators on either side: it ought to be shared by those who originally sowed the seeds of these calamities by civil oppression and religious persecution.

NOTE (B), Page 58.

The following letter from the queen to Madame de Saint-Georges, explains her feelings, and the reasons of her voyage to Holland:—"Ma mie Saint-Georges, ce gentilhomme s'en va si bien informé des raisons, que j'ai eues de sortir d'Angleterre, que lorsque vous les saurez, vous vous étonnerez que je ne l'aie pas fait plus tôt: car, à moins que de me résoudre à la prison, je ne pouvois pas demeurer. Encore s'il n'y avoit eu que moi à souffrir, je suis si accoutumée aux afflictions que cela eut passé comme le reste. Mais leur dessein étoit de me séparer du roi mon seigneur, et ils disoient publiquement qu'une Reine n'étoit qu'une sujette, et étoit pour passer par les lois du pays comme les autres: ensuite ils m'ont accusée publiquement en disant que j'avois voulu renverser les lois et la religion du royaume, et que c'étoit moi que avois fait révolter les Irlandais. On a fait venir des témoins pour jurer que cela étoit; enfin, on prétendoit que tant que je demeurerois auprès du roi, l'état seroit en danger, et beaucoup d'autres choses qui seroient trop longues à écrire; telles que venir à ma maison, lorsque j'étois à la chapelle, enfoncer mes portes, menacer de tout tuer: et cela, j'avoue, ne m'a fait grande peur: mais il est vrai que d'être sous la tyrannie est une chose qui ne se peut exprimer, et durant ce temps assistée de personne, jugez en quel état j'étois.—S'il arrivoit que je vous visse, il y auroit choses qui ne se peuvent écrire, et pires que tout ce qu'on peut penser, que je vous dirois. Priez dieu pour moi, car il n'y a pas un plus misérable créature au monde que moi. Eloignée du roi mon seigneur, de mes enfans, hors de mon pays et sans espérance de retourner sans danger évident, délaissée de tout le monde: ah! Dieu m'assiste et les bonnes prières de mes amis, parmi lesquels vous êtes ma mie. Je vous prie de faire mes recommandations à ma mie Vitry, et lui dites que j'ai tant à écrire, que j'espère qu'elle m'excusera pour cette fois. Re-

commandez moi aux bonnes Carmélites de Paris. Si je pouvois, je me souhaiterois bien avec elles: mais je ne sais si cela me sera permis. Je vous assure que c'est la seule chose à quoi je songe avec plaisir. Faites aussi mes recommandations à ma nièce, et croyez que rien ne m'empêchera d'être ce que je vous ai toujours promis, votre-bien bonne amie,

“ HENRIETTE-MARIE, Reine.

“ La Haye, ce 28 Mai.”

Capefigue, from MSS. Béthune, 9332.

NOTE (C), Page 165.

Nothing more clearly shows the readiness of Charles to engage in intrigue, and the subtleties and falsehood to which he could occasionally descend, than the history of Glamorgan's mission to Ireland. In this note I purpose to lay before the reader the substance of the several documents relating to the transaction.

On the 1st of April, 1644, the king gave to him, by the name of Edward Somerset alias Plantagenet, lord Herbert, baron Beaufort, &c. a commission under the great seal, appointing him commander-in-chief of three armies of Englishmen, Irishmen, and foreigners, authorizing him to raise monies on the securities of the royal wardships, customs, woods, &c., furnishing him with patents of nobility from the title of marquess to that of baronet, to be filled up with names at his discretion, promising to give the princess Elizabeth to his son Plantagenet in marriage with a dower of 300,000*l.*, a sum which did not much exceed what Herbert and his father had already spent in the king's service, and in addition to Herbert himself the title of duke of Somerset, with the George and blue ribbon. From the Nuncio's Memoirs in Birch's Inquiry, p. 22.

This commission was granted in consequence of an understanding with the deputies from the confederate catholics, who were then at Oxford, and its object is fully explained by Herbert himself in a letter to Clarendon, to be laid before Charles II. and dated June 11, 1660. “ For his majesty's better information, through your favour, and by the channel of your lordship's understanding things rightly, give me leave to acquaint you

with one chief key, wherewith to open the secret passages between his late majesty and myself in order to his service ; which was no other than a real exposing of myself to any expense or difficulty, rather than his just design should not take place ; or, in taking effect, that his honour should suffer. An effect, you may justly say, relishing more of a passionate and blind affection to his majesty's service, than of discretion and care of myself. This made me take a resolution that he should have seemed angry with me at my return out of Ireland, until I had brought him into a posture and power to own his commands, to make good his instructions, and to reward my faithfulness and zeal therein.

“ Your lordship may well wonder, and the king too, at the amplitude of my commission. But when you have understood the height of his majesty's design, you will soon be satisfied that nothing less could have made me capable to effect it ; being that one army of 10,000 men was to have come out of Ireland through North Wales ; another of a like number, at least, under my command in chief, have expected my return in South Wales, which sir Henry Gage was to have commanded as lieutenant-general ; and a third should have consisted of a matter of 6000 men, 2000 of which were to have been Liegeois, commanded by sir Francis Edmonds, 2000 Lorrainers, to have been commanded by colonel Browne, and 2000 of such French, English, Scots, and Irish, as could be drawn out of Flanders and Holland. And the 6000 were to have been, by the prince of Orange's assistance, in the associated counties ; and the governor of Lyne, cousin german to major Bacon, major of my own regiment, was to have delivered the town unto them.

“ The maintenance of this army of foreigners was to have come from the pope, and such catholick princes as he should have drawn into it, having engaged to afford and procure 30,000*l.* a month ; out of which the foreign army was first to be provided for, and the remainder to be divided among the other armies. And for this purpose had I power to treat with the pope and catholic princes with particular advantages promised to catholicks for the quiet enjoying their religion, without

the penalties which the statutes in force had power to inflict upon them. And my instructions for this purpose, and my powers to treat and conclude thereupon, were signed by the king under his pocket signet, with blanks for me to put in the names of pope or princes, to the end the king might have a starting-hole to deny the having given me such commissions, if excepted against by his own subjects; leaving me as it were at stake, who for his majesty's sake was willing to undergo it, trusting to his word alone." Clarendon Papers, ii. 201, 202.

But his departure was delayed by Ormond's objections to the conditions of peace; and the king, to relieve himself from the difficulty, proposed to Herbert to proceed to Ireland, and grant privately to the catholics those concessions which the lord-lieutenant hesitated to make, on condition of receiving in return an army of 10,000 men for the royal service. In consequence, on the 27th of December, Charles announced to Ormond that Herbert was going to Ireland under an engagement to further the peace. Carte, ii. App. p. 5.

1645, January 2nd. Glamorgan (he was now honoured with the title of earl of Glamorgan) received these instructions. "First you may ingage y^r estate, interest and creditt that we will most really and punctually performe any our promises to the Irish, and as it is necessary to conclude a peace suddainely, soe whatsoever shall be consented unto by our lieutenant the marquis of Ormond, We will dye a thousand deaths rather than disannull or break it; and if vpon necessity any thing be to be condescended unto, and yet the lord marquis not willing to be seene therein, as not fitt for us at the present publickely to owne, doe you endeavour to supply the same." *Century of Inventions* by Mr. Partington, original letters and official papers, xxxv. Then follows a promise to perform any promise made by him to Ormond or others, &c.

January 6. He received a commission to levy any number of men in Ireland and other parts beyond the sea, with power to appoint officers, receive the king's rents, &c. Birch, p. 18, from the Nuncio's Memoirs, fol. 713.

January 12. He received another warrant of a most extraordinary description, which I shall transcribe from a MS. copy in my possession, attested with his signature, and probably the very same which he gave to Ormond after his arrest and imprisonment.

“ CHARLES REX

“ Charles by the grace of God king of England Scotland France and Ireland Defender of the Fayth, &c. To our Right trusty and Right well beloved Cossin Edward Earle of Glamorgan greetinge. Whereas wee haue had sufficient and ample testimony of y^r approued wisdome and fideliti. Soe great is the confidence we repose in yo^m as that whatsoeuer yo^m shall perform as warranted only under our signe manuall pockett signett or private marke or even by woorde of mouthe wthout further cerimonii, wee doo in the worde of a kinge and a cristian promis to make good to all intents and purposes as effectually as if your authoriti from us had binue under our great seale of England wth this advantage that wee shall esteem our self farr the moore obliged to yo^m for y^r gallantry in not standing upon such nice tearms to doe us service w^h we shall God willing rewarde. And althoughe yo^m exceed what law can warrant or any power of ours reach unto, as not knowinge what yo^m may have need of, yet it being for our service, wee oblige ourself not only to give yo^m our pardon, but to mantayne the same wth all our might and power, and though, either by accident yo^m loose or by any other occasion yo^m shall deem necessary to deposit any of our warrants and so wante them at yo^r returne, wee faythfully promise to make them good at your returne, and to supply any thinge wheerin they shall be founde defective, it not being convenient for us at this time to dispute upon them, for of what wee haue heer sett downe yo^m may rest confident, if theer be fayth or truth in man; proceed theerfor cheerfully, spedelj, and booldly, and for yo^r so doinge this shal be yo^r sufficient warrant. Giuen at our Court at Oxford under our signe manuall and privat signet this 12 of Januarj 1644.

GLAMORGAN.

"To our Right trustj and Right well beloved
cosin Edward Earle of Glamorgan."

Indorsed "The Earle of Glamorgan's further
authoritj."

Feb. 12. Glamorgan had left Oxford, and was raising money in Wales, when Charles sent him other despatches, and with them a letter desiring him to hasten to Ireland. In it he acknowledges the danger of the undertaking, that Glamorgan had already spent above a million of crowns in his service, and that he was bound in gratitude to take care of him next to his own wife and children. "What I can further thinke at this pnt is to send y^w the blue ribben, and a warrant for the title of duke of Somerset, both w^{ch} accept and make vse of at your discretion, and if you should deferre y^e publishing of either for a whyle to avoyde envye, and my being importuned by others, yet I promise yo^r antiquitie for y^e one and your pattent for the other shall bear date with the warrants." *Century of Inventions*, p. xxxiv. On the 18th of August, 1660, the marquess of Hertford complained that this patent was injurious to him, as he claimed the title of Somerset. Glamorgan, then marquess of Worcester, readily surrendered it on the 3d of September, and his son was created duke of Beaufort.

On March 12, the king wrote to him the following letter :

"HERBERT,

"I wonder you are not yet gone for Ireland; but since you have stayed all this time, I hope these will ouertake you, whereby you will the more see the great trust and confidence I repose in your integrity, of which I have had soe long and so good experience: commanding yow to deale with all ingenuity and freedome with our lieutenant of Ireland the marquess of Ormond, and on the word of a king and a christian I will make good any thing which our lieutenant shall be induced unto upon your persuation: and if you find it fitting, you may privately shew him these, which I intend not as obligatory to him, but to myselve, and for both your

encouragements and warrantise, in whom I repose my cheefest hopes, not having in all my kingdomes two such subjects; whose endeaours joining, I am confident to be soone drawn out of the mire I am now enforced to wallow in." Century of Inventions, xxxviii.

What were the writings meant by the word "*these*," which Glamorgan might show to Ormond if he thought fitting? Probably the following warrant, dated at Oxford on the same day.

"CHARLES R.

"Charles by the Grace of God King of England Scotland France and Ireland Defender of the Fayth &c. To our right trusty and right welbeloved Cosin Edward earle of Glamorgan Greeting. We reposing great and espitiall trust, and confidence in y^r approved wisdom, and fidelity doe by these (as firmly as under our great seale to all intents and purposes) Authorise and give you power to treat and conclude wth the Confederat Romaine Catholikes in our Kingdom of Ireland, if vpon necessity any thing be to be condescended vnto wherein our Lieutenant can not so well be seene in as not fitt for vs at the present publicly to owne, and therefore we charge you to proceede according to this our warrant wth all possible secresie, and for whatsoever you shall engage your selfe, vpon such valuable considerations as you in y^r iudgement shall deeme fitt, we promise in the word of a King and a Christian to ratifie and performe the same, that shall be graunted by you, and vnder your hand and seale, the sayd confederat Catholikes having by theyr supplies testified theyre zeale to our service, and this shall be in eache particular to you a sufficient warrant. Given at our Court at Oxford, under our signett and Royall signature the twelwe day of Marche in the twentieth year of our Raigne 1644.

"To our Right Trusty and right welbeloved Cosin, Edward Earle of Glamorgan."

Some writers have attempted to dispute the authenticity of this warrant, because though it was inserted verbatim in Glamorgan's treaty with the confederates, he did not produce it at the requisition of the council at

Dublin, under the excuse that he had deposited it with the catholics at Kilkenny. But that this was the truth, appears from the Nuncio's Memoirs: *a sua majestate mandatum habuit, cujus originale regiâ manu subscriptum Glamorganæ comes deposuit apud confœderatos catholicos,*" fol. 1292, apud Birch, 215: and if better authority be required, I have in my possession the original warrant itself, with the king's signature and private seal, bearing the arms of the three kingdoms, a crown above, and C. R. on the sides, and indorsed in the same handwriting with the body of the warrant, "The Earle of Glamorgan's espetiall warrant for Ireland." Of this original the above is a correct copy.

April 30. The king having heard that Rinuccini had been appointed nuncio, and was on his way to Ireland, sent to Glamorgan a letter for that prelate and another for the pope. The contents of the second are unknown; the first is copied in the Nuncio's Memoirs, "*Nous ne doubtons point, que les choses n'yront bien, et que les bonnes intentions commencés par effect du dernier pape ne s'accompliront par celuys icy, et par vos moyens, en notre royaume d'Irlande et de Angleterre.*" Birch, 28. He then requests the nuncio to join with Glamorgan, and promises to accomplish on the return of the latter, whatever they shall have resolved together. Ibid.

The king, on his return to Oxford, after the disastrous campaign of 1645, still placed his principal reliance on the mission of Glamorgan; and, to induce the court of Rome to listen to the proposals of that envoy, wrote, with his own hand, the two following letters, of which the originals still exist in the Archivio Vaticano, one to the pope himself, the other to Cardinal Spada, requesting of both to give credit to Glamorgan or his messenger, and engaging the royal word to fulfil whatever should be agreed upon by Glamorgan, in the name of his sovereign:—

"Beatissime Pater,

"Tot tantaque testimonia fidelitatis et affectus consanguinei nostri comitis Glamorganiae jamdudum accepimus, eamque in illo fiduciam merito reponimus,

ut Sanctitas Vestra ei fidem merito præbere possit in quacumque re, de qua per se vel per alium nostro nomine cum Sanctitate Vestra tractaturus sit. Quæcumque vero ab ipso certo statuta fuerint, ea munire et confirmare pollicemur. In cujus testimonium brevissimas has scripsimus, manu et sigillo nostro munitas, qui nihil (potius) habemus in votis, quam ut favore vestro in eum statum redigamur, quo palam profiteamur nos

Sanctitatis Vestræ

Humilimum et obedientissimum servum,

“ Apud Curiam nostram,

CHARLES R.

Oxoniæ, Oct. 20, 1645.

Superscription—

“ Beatissimo Patri Innocentio decimo Pontifici Maximo.”

“ Eminentissime Domine, Pauca scripsimus Beatissimo Patri de fide adhibenda consanguineo nostro comiti Glamorganix, et cuilibet ab eo delegato, quem ut Eminentia vestra pariter omni favore prosequatur, rogamus; certoque credat nos ratum habituros quicquid a prædicto comite, vel suo delegato, cum Sanctissimo Patre vel Eminentia vestra transactum fuerit.

Eminentix Vestræ,

“ Apud Curiam nostram,

Fidelissimus Amicus,

Oxoniæ, Oct. 20, 1645.

CHARLES R.

Superscription—

“ Eminentissimo Domino et Consanguineo nostro,
Dño Cardinali Spada.”

After the discovery of the whole proceeding, the king, on January 29th, 1646, sent a message to the two houses in England, in which he declares (with what truth the reader may judge) that Glamorgan had a commission to raise men, and “ to that purpose only;” that he had no commission to treat of any thing else without the privity and directions of Ormond; that he had never sent any information of his having made any treaty with the catholics, and that he (the king) disavowed him in his proceedings, and had ordered the Irish council to proceed against him by due course of law. Charles’s Works, 555.

Two days later, January 31, having acknowledged to the council at Dublin that he had informed Glamorgan of the secret instructions given to Ormond, and desired

him to use his influence with the catholics to persuade them to moderate their demands, he proceeds, "To this end (and with the strictest limitations that we could enjoin him, merely to those particulars concerning which we had given you secret instructions, as also even in that to do nothing but by your especial directions) it is possible we might have thought fit to have given unto the said earl of Glamorgan such a credential as might give him credit with the Roman catholics, in case you should find occasion to make use of him, either as a farther assurance unto them of what you should privately promise, or in case you should judge it necessary to manage those matters for their greater confidence apart by him, of whom, in regard of his religion and interest, they might be less jealous. This is all, and the very bottom of what we might have possibly entrusted unto the said earl of Glamorgan in this affair." Carte's Ormond, iii. 446. How this declaration is to be reconciled with the last, I know not.

With this letter to the council he sent two others. One was addressed to Ormond, asserting on the word of a christian that he never intended Glamorgan to treat of any thing without Ormond's knowledge and approbation, as he was always diffident of the earl's judgment, but at the same time commanding him to suspend the execution of any sentence which might be pronounced against that nobleman. Carte, ii. App. p. 12. The second, dated Feb. 3, was to Glamorgan himself, in these words.

"Glamorgan,

"I must clearly tell you, both you and I have been abused in this business; for you have been drawn to consent to conditions much beyond your instructions, and your treaty hath been divulged to all the world. If you had advised with my lord lieutenant, as you promised me, all this had been helped. But we must look forward. Wherefore, in a word, I have commanded as much favour to be shewn to you as may possibly stand with my service or safety: and if you will yet trust my advice—which I have commanded Digby to give you freely—I will bring you so off that you may still be useful to me, and I shall be able to recompence you for your affection; if not, I

cannot tell what to say. But I will not doubt your compliance in this, since it so highly concerns the good of all my crowns, my own particular, and to make me have still means to shew myself

“ Your most assured Friend,

“ CHARLES R.”

“ Oxford, Feb. 3, 1645-6.”

Warner, 360.

In this letter Charles, in his own defence, pretends to blame Glamorgan : probably as a blind to Ormond and Digby, through whom it was sent. Soon afterwards, on February 28th, he despatched sir J. Winter to him with full instructions, and the following consolatory epistle :—

“ HERBERT,

“ I am confident that this honest trusty bearer will give you good satisfaction why I have not in euerie thing done as you desired, the wante of confidence in you being so farre from being y^e cause thereof, that I am euey day more and more confirmed in the trust that I have of you, for beleeeve me, it is not in the power of any to make you suffer in my opinion by ill offices ; but of this and diuers other things I have given so full instructions that I will saye no more, but that I am

“ Y^{or} most assured constant Friend,

“ CHARLES R.”

Century of Inventions, xxxix.

April 5th he wrote to him again.

“ GLAMORGAN,

“ I have no time, nor do you expect that I shall make unnecessary repetitions to you. Wherefore, referring you to Digby for business, this is only to give you assurance of my constant friendship to you : which, considering the general defection of common honesty, is in a sort requisite. Howbeit, I know you cannot but be confident of my making good all instructions and promises to you and the nuncio.

“ Your most assured constant Friend,

“ CHARLES R.”

Warner, 373.

On the following day the king sent him another short letter.

“HERBERT,

“As I doubt not but you have too much courage to be dismayed or discouraged at the usage you have had, so I assure you that my estimation of you is nothing diminished by it, but rather begets in me a desire of revenge and reparation to us both; for in this I hold myself equally interested with you. Wherefore, not doubting of your accustomed care and industry in my service, I assure you of the continuance of my favour and protection to you, and that in deeds more than words, I shall shew myself to be

“Your most assured constant Friend,

“CHARLES R.”

Warner, 374.

If after the perusal of these documents any doubt can remain of the authenticity of Glamorgan's commission, it must be done away by the following passage from Clarendon's correspondence with secretary Nicholas. Speaking of his intended history, he says, “I must tell you, I care not how little I say in that business of Ireland, since those strange powers and instructions given to your favourite Glamorgan, which appears to me so inexcusable to justice, piety, and prudence. And I fear there is very much in that transaction of Ireland, both before and since, that you and I were never thought wise enough to be advised with in. Oh, Mr. Secretary, those stratagems have given me more sad hours than all the misfortunes in war which have befallen the king, and look like the effects of God's anger towards us.” Clarendon papers, ii. 337.

It appears that the king, even after he had been delivered by the Scots to the parliament, still hoped to derive benefit from the exertions of Glamorgan. About the beginning of June, 1647, Sir John Somerset, the brother of that nobleman, arrived in Rome with a letter from Charles to Innocent X. The letter is not probably in existence: but the answer of the pontiff shews that the king had solicited pecuniary assistance, and, as an inducement, had held out some hint of a disposition on

his part to admit the papal supremacy and the catholic creed. Less than this cannot be inferred from the language of Innocent. *Literæ illæ præcipuam tuam alacritatem ac propensionem ad obediendum Deo in nobis, qui ejus vices gerimus, luculenter declarant . . . a majestate tua enixe poscimus, ut quod velle cœpit, mox et facto perficiat ut aliquo id aggrediaris argumento, quo te te ad Catholicam fidem recepissee intelligamus.* Undoubtedly Charles was making the same experiment with the pontiff which he had just made with his presbyterian subjects: and as, to propitiate them, he had undertaken to study the presbyterian doctrines, so he hoped to draw money from Innocent by professing an inclination in favour of the catholic creed. But the attempt failed. The answer was, indeed, complimentary: it expressed the joy of the pontiff at the perusal of his letter, and exhorted him to persevere in the inquiry till he should come to the discovery of the truth; but it disposed of his request, as Urban had previously disposed of a similar request, by stating that it was inconsistent with the duty of the pope to spend the treasures of his church in the support of any but catholic princes. This answer is dated 29th June, 1674.

NOTE (D), Page 181.

1°. The ordinances had distinguished two classes of delinquents, the one religious, the other political. The first comprised all catholic recusants, all persons whomsoever, who, having attained the age of twenty-one, should refuse to abjure upon oath the doctrines peculiar to the catholic creed. These were reputed papists, and had been made to forfeit two-thirds of their real and personal estates, which were seized for the benefit of the kingdom by the commissioners of sequestration appointed in each particular county. The second comprehended all persons who were known to have fought against the parliament, or to have aided the royal party with money, men, provisions, advice or information; and of these the whole estates both real and personal, had been sequestered, with the sole exception of one-fifth allotted for the support of their wives and children, 1

the latter were educated in the protestant religion. El-synge's ordinances, 3, 22, et seq.

II°. These sequestrated estates not only furnished a yearly income, but also a ready supply on every sudden emergency. Thus when colonel Harvey refused to march till his regiment had received the arrears of its pay, amounting to 3000*l.*, an ordinance was immediately passed to raise the money by the sale of woods belonging to lord Petre, in the county of Essex. (Journals, vi. 519.) When a complaint was made of a scarcity of timber for the repairs of the navy, the two houses authorised certain shipwrights to fell 2500 oak-trees on the estates of delinquents in Kent and Essex. (Ibid. 520.) When the Scots demanded a month's pay for their army, the committee at Goldsmiths' hall procured the money by offering for sale such property of delinquents as they judged expedient, the lands at eight, the houses at six years' purchase. Journals of Commons, June 10, 24. 1644.

III°. But the difficulty of procuring ready money by sales induced the commissioners to look out for some other expedient; and when the sum of 15,000*l.* was wanted to put the army of Fairfax in motion, it was raised without delay by offering to delinquents the restoration of their sequestrated estates, on the immediate payment of a certain fine. (Commons' Journals, Sep. 13, 1644.) The success of this experiment encouraged them to hold out a similar indulgence to such persons as were willing to quit the royal party, provided they were not catholics, and would take the oath of abjuration of the catholic doctrine. (Ibid. Mar. 6. Aug. 12. 1645. May 4. June 26. Sep. 3, 1646.) Afterwards, on the termination of the war, the great majority of the royalists were admitted to make their compositions with the committee. Of the fines required, the greater number amounted to one-tenth, many to one-sixth, and a few to one-third of the whole property, both real and personal of the delinquents. See the Journals of both houses for the years 1647, 1648.

NOTE (E), Page 267.

On the day after the king's execution appeared a work entitled ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ, or the portraicture of his sacred majesty in his solitude and sufferings. It professed to be written by Charles himself; a faithful exposition of his own thoughts on the principal events of his reign, accompanied with such pious effusions as the recollection suggested to his mind. It was calculated to create a deep sensation in favour of the royal sufferer, and is said to have passed through fifty editions in the course of the first year. During the commonwealth, Milton made a feeble attempt to disprove the king's claim to the composition of the book: after the Restoration, Dr. Gauden, a clergyman of Bocking, in Essex, came forward and declared himself the real author. But he advanced his pretensions with secrecy, and received as the price of his silence, first the bishopric of Exeter, and afterwards, when he complained of the poverty of that see, the richer bishopric of Worcester.

After the death of Gauden his pretensions began to transpire, and became the subject of an interesting controversy between his friends and the admirers of Charles. But many documents have been published since, which were then unknown, particularly the letters of Gauden to the earl of Clarendon (Clarendon papers, iii. App. xxvi—xxx. xcv.), and others from him to the earl of Bristol. (Maty's review, ii. 253. Clarendon papers, iii. App. xcvi. and Mr. Todd, *Memoirs of bishop Walton*, i. 138.) These have so firmly established Gauden's claim, that, whoever denies it, must be prepared to pronounce that prelate an impostor, to believe that the bishops Morley and Duppa gave false evidence in his favour, and to explain how it happened, that those, the most interested to maintain the right of the king, namely, Charles II., his brother the duke of York, and the two earls of Clarendon and Bristol, yielded to the deception. These difficulties, however, have not appalled Dr. Wordsworth, who in a recent publication of more than four hundred pages, entitled, "Who wrote ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ?" has collected with patient industry every particle of evidence which can bear upon the subject; and after a most

minute and laborious investigation, has concluded by adjudging the work to the king, and pronouncing the bishop an impudent impostor. Still my incredulity is not subdued. There is much in the ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ itself which forbids me to believe that Charles was the real author, though the latter, whoever he were, may have occasionally consulted and copied the royal papers; and the claim of Gauden appears too firmly established to be shaken by the imperfect and conjectural improbabilities which have hitherto been produced against it.

NOTE (F), Page 342.

The following pensions were afterwards granted to different persons, instrumental in facilitating the king's escape. Unless it be mentioned otherwise the pension is for life:—

	£.
To Jane Lane (Lady Fisher)	1000.
Thos. Lane, the father	500.
Charles Gifford, Esq.	300.
Francis Mansell, Esq.	200.
Thomas Whitgrave, Esq.	200.
Cath. Gunter, for 21 years	200.
Joan Harford	50.
Eleanor Sampson	50.
Francis Reynolds	200.
John and Anne Rogers, and heirs male	100.
Anne Bird	30.
Sir Thos. Wyndham, and heirs, for ever	600.
Wil. Ellesdun, during pleasure	100.
Rt. Swan, during the king's life	80.
Lady Anne Wyndham	400.
Juliana Hest	30.

Clarend. Corres. i. 656.

NOTE (G), Page 367.

THE ACT FOR THE SETTLEMENT OF IRELAND.

Whereas the parliament of England after expense of much blood and treasure for suppression of the horrid rebellion in Ireland have by the good hand of God vp-

pon their vndertakings brought that affaire to such an issue as that a totall redum^t and settlement of that nation may with Gods blessing be speedily effected. To the end therefore that the people of that nation may knowe that it is not the intention of the Parliament to extirpat that wholl nation, but that mercie and pardon both as to life and estate may bee extended to all husbandmen, plowmen, labourers, artificers, and others of the inferior sort, in manner as is heereafter declared, they submitting themselves to the Parliament of the Commonwealth of England and liveing peaceably and obediently vnder their governement, and that others alsoe of a higher ranke and quality may knowe the Parliament's intention concerning them according to the respective demerits and considerations under which they fall, Bee it enacted and declared by this present Parliament and by the authority of the same, That all and every person and persons of the Irish nation comprehended in any of the following Qualifications shal bee lyable vnto the penalties and forfeitures herein mentioned and contained or bee made capable of the mercy and pardon therein extended respectively according as is heereafter expressed and declared, that is to saye,

1. That all and every person and persons who at any time before the tenth day of November 1642, being the time of the sitting of the first generall assembly at Kilkenny in Ireland have contrived, advised, counselled, or promoted the Rebellion, murthers, massacres, done or committed in Ireland w^{ch} began in the year 1641, or have at any time before the said tenth day of November 1642 by bearing armes or contributing men, armes, horses, plate, money, victuall or other furniture or habiliments of warre (other then such w^{ch} they shall make to appeare to haue been taken from them by meere force & violence) ayded, assisted, promoted, prosecuted or abetted the said rebellion murthers or massacres, be excepted from pardon of life and estate.

2. That all and every person & persons who at any time before the first day of May 1643, did sitt or vote, in the said first generall assembly, or in the first pretended counsell comonly called the supreamc councill of the confederate Catholiques in Ireland or

were employed as secretaries or cheife clearke, to be exempted from pardon for life and estate.

3. That all and every Jesuitt preist and other person or persons who have received orders from the Pope or Sea of Rome, or any authoritie from the same, that have any wayes contrived, advised, counselled, promoted, continued, countenanced, ayded, assisted or abetted, or at any time hereafter shall any wayes contriue, advise, counsell, promote, continue, countenance, ayde, assist or abett the Rebellion or warre in Ireland, or any the murders, or massacres, robberies or violences, comitted against y^e Protestants, English, or others there, be excepted from pardon for life and estate.

4. That James Butler earl of Ormond, James Talbot earl of Castelhaven, Ullick Bourke earl of Clanricarde, Christopher Plunket earl of Fingal, James Dillon earl of Roscommon, Richard Nugent earl of Westmeath, Moragh O'Brian baron of Inchiquin, Donogh M'Carthy viscount Muskerry, Richard Butler viscount Mountgarrett, Theobald Taaffe viscount Taaffe of Corren, Rock viscount Fermoy, Montgomery viscount Montgomery of Ards, Magennis viscount of Iveagh, Fleming baron of Slane, Dempsey viscount Glanmaleere, Birmingham baron of Athenry, Oliver Plunket baron of Lowth, Robert Barnwell baron of Trymletstoune, Myles Bourke viscount Mayo, Connor Magwyre baron of Enniskillen, Nicholas Preston viscount Gormanstowne, Nicholas Nettervill, viscount Nettervill of Lowth, John Bramhall late bishop of Derry, (with eighty-one baronets, knights and gentlemen mentioned by name) be excepted from pardon of life and estate.

5. That all and every person & persons (both principalls and accessories) who since the first day of October 1641 have or shall kill, slay or otherwise destroy any person or persons in Ireland w^{ch} at y^e time of their being soe killed, slaine or destroyed were not publicly entertained, and mainteyned in armes as officers or private souldiers for and on behalfe of the English against y^e Irish, and all and every person and persons (both principalls and accessories) who since the said first day of October 1641 have killed, slayne or otherwise destroyed any person or persons entertained and mainteyned as

officers or private souldiers for and on behalfe of the English, against the Irish (the said persons soe killing, slaying or otherwise destroying, not being then publicly entertained and mainteyned in armes as officer or private souldier vnder the comānd and pay of y^e Irish against the English) be excepted from pardon for life and estate.

6. That all and every person & persons in Ireland that are in armes or otherwise in hostilitie against y^e Parliam^t of y^e Commonwealth of England, and shall not wthin eight and twenty dayes after publicacōn hereof by y^e deputy gen^{ll} of Ireland, and y^e comīssion^{rs} for the Parliam^t, lay downe armes & submitt to y^e power and authoritie of y^e said Parliam^t & commonwealth as y^e same is now established, be excepted from pardon for life and estate.

7. That all other person & persons (not being comprehended in any of y^e former Qualifications,) who have borne comāund in the warre of Ireland against the Parliam^t of England or their forces, as generall, leift^{ts} generall, major gen^{ll}, commissary generall, colonell, Gouvern^{rs} of any garrison, Castle or Forte, or who have been employed as receaver gen^{ll} or Treasurer of the whole Nation, or any prouince thereof, Comīssarie gen^{ll} of musters, or prouissions, Marshall generall or marshall of any prouince, advocate to y^e army, secretary to y^e councell of warre, or to any generall of the army, or of any the seuerall prouinces, in order to the carrying on the warre, against the parliam^t or their forces, be banished during the pleasure of the parliam^t of y^e Com^wwealth of England, and their estates forfeited & disposed of as followeth, (viz.) That two third partes of their respective estates, be had taken & disposed of for the vse & benefitt of the said Com^wwealth, and that y^e other third parte of their said respective estates, or other lands to y^e proporcōn & value thereof (to bee assigned in such places in Ireland as the Parliam^t in order to y^e more effectual settlem^t of y^e peace of this Nation shall thinke fitt to appoint for that purpose,) be respectiue^{ly} had taken and enioyed by y^e wives and children of the said persons respectiue^{ly}.

8. That y^e deputy gen^{ll} and comīssion^{rs} of parliam^t have power to declare, That such person or persons as

they shall judge capeable of y^e parliam^{ts} mercie (not being comprehended in any of y^e former qualifications) who have borne armes against the Parliam^t of England or their forces, and have layd downe armes, or within eight & twenty dayes after publicacōn hereof by y^e deputy gen^{ll} of Ireland and y^e Comissioners for y^e parliam^t, shall lay downe armes & submitt to y^e power & authoritie of y^e said parliam^t & com^{we}alth as y^e same is now established, (by promising & ingaging to be true to y^e same) shal be pardoned for their liues, but shall forfeit their estates, to the said Comōnwealth to be disposed of as followeth (viz) Two third partes thereof (in three equall partes to bee diuided) for the vse benefitt & advantage of y^e said Comōnwealth, and y^e other third parte of the said respective estates, or other lands to y^e proportion or value thereof) to bee assigned in such places in Ireland as the parliam^t in order to y^e more effectual settlement of the peace of the Nation shall thinke fitt to appoint for that purpose (bee enioyed by y^e said persons their heires or assigns respectively, provided, That in case the deputy gen^{ll} & Comission^{rs} or either of them, shall see cause to give any shorter time than twenty-eight dayes, vnto any person or persons in armes, or any Guarrison, Castle, or Forte, in hestilitie against the Parliam^t & shall giue notice to such person or persons in armes or in any Guarrison, Castle or Forte, That all and every such person & persons who shall not w^{thin} such time as shal be sett downe in such notice surrender such Guarrison, Castle, or Forte to y^e parliam^t, and lay downe armes, shall haue noe advantage of y^e time formerly limited in this Qualificacōn.

9. That all and every person & persons who have re-
 cided in Ireland at any time from the first day of October 1641, to y^e first of March 1650, and haue not beene in actuall service of y^e parliam^t at any time from y^e first of August 1649, to the said first of March 1650, or have not otherwise manifested their constant good affections to the interest of y^e Comōnwealth of England (the said Persons not being comprehended in any of the former Qualificacōns) shall forfeit their estates in Ireland to the said Comōnwealth to be disposed of as followeth, (viz.) one third parte thereof for the vse, benefitt, and advan-

tage of the said Comōnwealth, and the other two third partes of their respective estates, or other lands to the proporcōn or value thereof (to bee assigned in such places in Ireland, as y^e Parliam^t for y^e more effectual settlement of y^e peace of the Nation shall thinke fitt to appoint for that purpose) bee enjoyed by such person or persons their heires or assigns respectively.

10. That all and every person & persons (haueing noe reall estate in Ireland nor personall Estate to the value of ten pounds,) that shall lay downe armes, and submitt to the power and Authoritie of the Parliament by the time limited in the former Qualificacōn, & shall take & subscribe the engagem^t to be true and faithfull to the Comōnwealth of England as the same is now established, within such time and in such manner, as the deputy Generall, & commission^{rs} for the Parliam^t shall appoint and direct, such persons (not being excepted from pardon nor adiuged for banishm^t by any of the former Qualificacōns) shal be pardoned for life & estate, for any act or thing by them done in prosecution of the warre.

11. That all estates declared by the Qualificacōns concerning rebells or delinquents in Ireland to be forfeited shal be construed, adiuged & taken to all intents and purposes to extend to y^e forfeitures of all estates taylor, and also of all rights & titles thereunto which since the five and twentieth of March 1639, have beene or shal be in such rebells or delinquents, or any other in trust for them or any of them, or their or any of their vses, wth all reversiones & remainders thereupon in any other person or persons whatsoever.

And also to the forfeiture of all estates limited, appointed, conueyed, settled, or vested in any person or persons declared by the said Qualificacōns to be rebells or delinquents with all reversiones or remainders of such estates, conueyed, uested, limited, declared or appointed to any the heires, children, issues, or others of the blood, name, or kindred of such rebells or delinquents, w^{ch} estate or estates remainders or reuersiones since the 25th of March 1639 have beene or shal be in such rebells or delinquents, or in any their heires, children, issues or others of the blood, name, or kindred of such rebells or delinquents.

And to all estates graunted, limitted, appointed or conueyed by any such rebels or delinquents vnto any their heires, children, issue, wth all the reversiones and remainders therevpon, in any other person of the name blood or kindred of such rebels or delinquents, provided that this shall not extend to make voyd the estates of any English Protestants, who haue constantly adhered to the parliam^t w^{ch} were by them purchased for valuable consideracōn before y^e 23rd of October 1641, or vpon like valuable consideracōn mortgaged to them before y^e tyme or to any person or persons in trust for them for satisfaction of debts owing to them.

NOTE (H), Page 399.

I have not been able to ascertain the number of Catholic clergymen, who were executed or banished for their religion under Charles I., and under the commonwealth. But I possess an original document, authenticated by the signatures of the parties concerned, which contains the names and fate of such catholic priests as were apprehended and prosecuted in London between the end of 1640 and the summer of 1651 by four individuals, who had formed themselves into a kind of joint-stock company for that laudable purpose, and who solicited from the council some reward for their services. It should, however, be remembered that there were many others engaged in the same pursuit, and consequently many other victims besides those who are here enumerated.

“The names of such jesuits and Romish priests as have been apprehended and prosecuted by Cap^t. James Wadsworth, Francis Newton, Thomas Mayo, and Robert de Luke, messengers, at our proper charge: whereof some have been condemned; some executed, and some reprieved since the beginning of the parliament (3 Nov. 1640): the like having not been done by any others since the reformation of religion in this nation:—

William Waller, als. Slaughter, als. Walker, executed at Tyburne.

Cuthbert Clapton, condemned, reprieved and pardoned.
Bartholomew Row, executed at Tyburne.

Thomas Reynolds, executed at Tyburne.
Edward Morgan, executed at Tyburne.
Thomas Sanderson, als. Hammond, executed at Tyburne.
Henry Heath, alias Pall Magdelen, executed at Tyburne.
Francis Quashet, dyed in Newgate after judgment.
Arthur Bell, executed at Tyburne.
Ralph Corbey, executed at Tyburne.
John Duchet, executed at Tyburne.
John Hamond, als. Jackson, condemned, reprieved by the king, and died in Newgate.
Walter Coleman, condemned and died in Newgate.
Edmond Cannon, condemned and died in Newgate.
John Wigmore, als. Turner, condemned, reprieved by the king, and is in custodie in Newgate.
Andrew Ffryer, alias Herne, als. Richmond, condemned, and died in Newgate.
Augustian Abbot, als. Rivers, condemned, reprieved by the king, and died in Newgate.
John Goodman, condemned and died in Newgate.
Peter Welford, condemned and died in Newgate.
Thomas Bullaker, executed at Tyburne.
Robert Robinson, indicted and proved, and made an escape out of the king's bench.
James Brown, condemned and died in Newgate.
Henry Morse, executed at Tyburne.
Thomas Worseley, alias Harvey, indicted, and proved, and reprieved by the Spanish ambassador and others.
Charles Chanie (Cheney) als. Tomson, indicted, and proved, and begged by the Spanish ambassador, and since taken by command of the councell of state, and is now in Newgate.
Andrew White, indicted, proved, reprieved before judgment, and banished.
Richard Copley, condemned and banished.
Richard Worthington, found guiltie and banished.
Edmond Cole, Peter Wright, and William Morgan, indicted, proved, and sent beyond sea.
Philip Morgan, executed at Tyburne.
Edmond Ensher, als. Arrow, indicted, condemned, reprieved by the parliament and banished.
Thomas Budd, als. Peto, als. Gray, condemned, re-

prieved by the lord Mayor of London, and others, justices, and since retaken by order of the councell of state, and is now in Newgate.

George Baker, als. Macham, indicted, proved guiltie, and now in Newgate.

Peter Beale, als. Wright, executed at Tyburne.

George Gage, indicted by us, and found guiltie, and since is dead.

James Wadsworth.

Francis Newton,

Thomas Mayo.

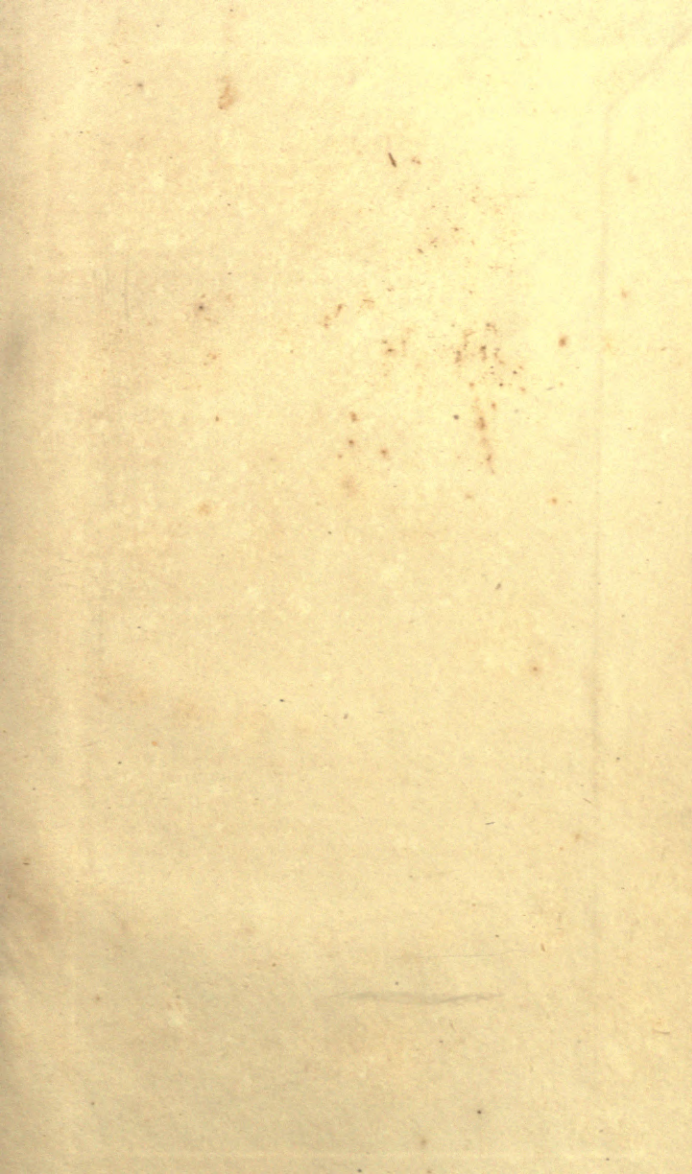
Robert de Luke."

This catalogue tells a fearful but instructive tale; inasmuch as it shews how wantonly men can sport with the lives of their fellow-men, if it suit the purpose of a great political party. The patriots, to enlist in their favour the religious prejudices of the people, represented the king as the patron of popery, because he sent the priests into banishment instead of delivering them to the knife of the executioner. Hence, when they became lords of the ascendant, they were bound to make proof of their orthodoxy; and almost every execution mentioned above took place by their order in 1642, or 1643. After that time they began to listen to the voice of humanity, and adopted the very expedient, which they had so clamorously condemned. They banished, instead of hanging and quartering.

END OF VOL. X.

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